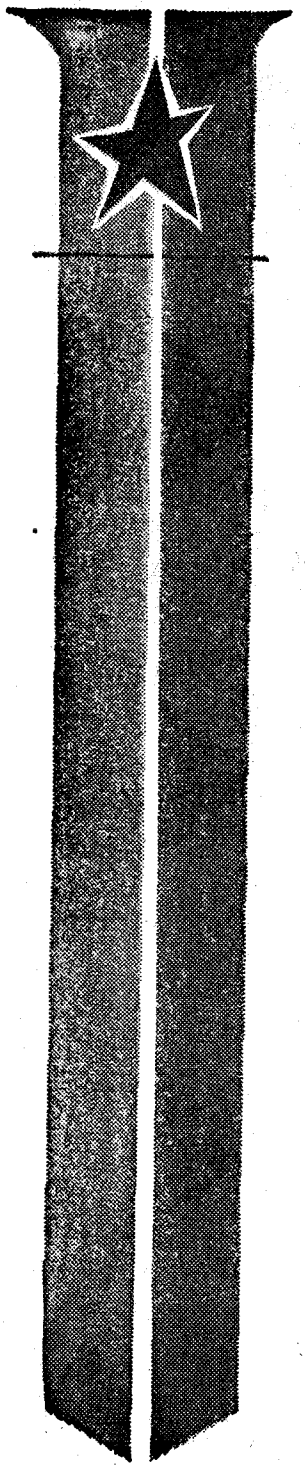
THE
NATION

January 27, 1964 . . 35c

PAUL HINDEMITH: Benjamin Boretz



PANAMA

Time Bomb Explodes

Martin B. Travis and
James T. Watkins

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JAN 23 1964
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OSWALD and the FBI

Harold Feldman

RAFFERTY: New Hope of the Far Right

Gene Marine

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LETTERS

Pathetic

Murfreesboro, Tenn.

Dear Sirs: A. G. Frank's article, "Brazil: Exploitation or Aid," in the Nov. 16 issue is about the worst thing I have read on this subject. Frank stated almost in the same breath that Brazilian per capita income is rising and that the people there are becoming worse off all the time, that United States aid is negligible but that it wields a tremendously nefarious influence over Brazil's economy and, finally, he misread economist Celso Furtado's writings on events in Brazil during the 1930 depression.

Mr. Frank's all-out attack on every U.S. policy, act and attitude with respect to Brazil could be regarded as mere cynicism, but combined with incompetence it is merely pathetic.

Hans G. Mueller
Middle Tennessee State College

New Order

Miami Beach, Fla.

Dear Sirs: Peter L. Bernstein in "Can Business Grasp the Future?" (*The Nation*, Jan. 13) is naive in advancing the idea that the goals he correctly promulgates can be achieved within our present order.

Mr. Bernstein, among other aims, calls for disarmament with resultant dislocation of industry, shattering of local economies, shriveling of bloated defense profits. He asks for vast increases of government investments in the public sector of our economy, the elimination of poverty and unemployment and the creation of a "demand for goods and services. . . at least 20 per cent faster than in the extraordinarily prosperous decade 1947-57. . . ." Mr. Bernstein also wants to eradicate all aspects of discrimination "based on race, color or creed," and asks for an unheard-of expansion of social welfare of all types.

Wonderful, wonderful — but Mr. Bernstein fails to recognize, or avoids, the simple conclusion that in order to achieve these and other laudable goals . . . we would have to change the *power structure* of our society and usher in a government with the professed aim of radically altering our system. Unless and until the people see the necessity for such a far-reaching social change, and have a political party that truly represents and leads them, Mr. Bernstein's goals will never be realized. . . .

Irving K. Rolling

Effect of courage

New York City

Dear Sirs: It is a very pallid statement . . . to say that "An Island Joins the March" renewed my strength (Peter S. McGhee, *The Nation*, Jan. 13). On July 1, 1963, I was suspended by the New York City Board of Education for refusing to participate in a shelter drill. As the date recedes my sense of purpose becomes more cloudy. The act becomes more insignificant as everyone but myself and two lawyers forgets it. An individual's concern is easily eroded by parents and friends who counsel: play it cool. Let me repeat the quotation from the Vineyard *Gazette*: "The courage of moral and ethical conviction cannot be a force in our world unless those whose conscience and humanity are deeply stirred will act, even sometimes against conviction or protocols or counsels of restraint." The effect of an act of courage can be more than local and limited.

Shelley Blum

Appeal from South Africa

South Fork, Calif.

Dear Sirs: Contact, the courageous anti-apartheid newspaper in South Africa, is in desperate need of funds to continue publication. Until funds can be raised, this fortnightly paper will appear only once a month.

The editor writes: "We wish to make a particular appeal to organizations on the continent and abroad to realize the set-back the liberal movement would suffer should we miss a thirty-day publishing period under the Imprint Act, as amended by the Union's 1962 Sabotage Act. This would be followed by immediate cancellation of *Contact's* registration. The South African Government could, and most certainly would, demand a deposit of R20,000 (about $28,000) for a new *Contact* or any other anti-apartheid paper."

Financial support can be sent to *Contact*, P.O. Box 1979, Cape Town, South Africa.

Alvine Bullock

Nasser's yen

Washington, D.C.

Dear Sirs: Desmond Stewart ("Tremors in the Near East," *The Nation*, Jan. 6) . . . accuses the Ba'ath of viewing Arab unity as "one which it could dominate." The fact is that it was Nasser who insisted upon one party . . . namely his own national socialist union. . . . The yen for domination in the Near East is notoriously that of Nasser, and it is incredible how any reporter can overlook this fact.

Bernard S. White

Correction

Through a misunderstanding between author and editor, Desmond Stewart was made to say in "Tremors in the Near East" (*The Nation*, January 6) that the Iman Badr of Yemen is in exile in Beirut. Mr. Stewart intended to refer to propaganda emanating from Iman supporters in Beirut; the present whereabouts of the Iman himself are not known. —*Editors.*

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Task of the Warren Commission

The confidence which we have previously expressed in the Warren Commission (*The Nation*, December 28, 1963, p. 445) has been strengthened by the announcement that J. Lee Rankin has been selected as counsel and that Norman Redlich, of the New York University Law School, will serve as Mr. Rankin's personal assistant. Further assurance of the thoroughness and skill with which the investigation will be conducted is to be found in the designation of Francis W. G. Adams of New York, Joseph A. Ball of Los Angeles, William T. Coleman, Jr., of Philadelphia, and Albert E. Jenner, Jr., of Chicago, as senior counsel in charge of special phases of the investigation. These are excellent lawyers, men of the highest integrity. Mr. Adams was an incorruptible and effective Police Commissioner of New York City. Joseph A. Ball is an outstanding lawyer with a long record of splendid public service. Such a staff, under the supervision of the Chief Justice and other members of the Commission, and with Mr. Robert Kennedy in charge of the Department of Justice, provides ample assurance that the Commission will ably discharge the extraordinary responsibilities which it has assumed.

Not only is the task the Commission faces inherently difficult; it is made doubly so by the confused state of the public record. The assassination of a President is no ordinary news event. It is not surprising, therefore, that in the initial excitement stories chased stories across the front pages and that this welter of print resulted in much confusion, contradiction, omission and discrepancy. *The Nation* has been inundated with letters, manuscripts and communications calling attention to this or that discrepancy or pointing to glaring omissions in the factual record. In the interval since November 22, certain key questions have been asked. Doubts have been raised, for example, about the rifle, the ammunition, the timing of the shots, the marksmanship involved, the role of the Dallas police, possible negligence in the precautions taken to guard the President, etc. The expression of these doubts should help the Warren Commission in its work; hypotheses have been suggested, discrepancies have been pinpointed, gaps in the factual record have been noted.

In this issue, Harold Feldman (p. 86) suggests still another possibility — that Oswald may have been an informant for the FBI. The question has been raised by the Texas press (in a story in the Houston *Post* of January 1), and the FBI has not commented on it. Because of the way in which the FBI has cautioned certain witnesses not to cooperate, it has been impossible for the Texas paper that raised the question, or for the press generally, to verify the facts. By simply dovetailing various news reports, Mr. Feldman raises a question that calls for a finding by the Warren Commission. The article is published not to make a charge but to raise a question that, in fairness to the FBI and to the public, requires a specific finding.

Brightening the Image

The Washington reporters are agog: on January 9, the CIA met the press. Of course it had huddled with individual members before — to supply them with leaks calculated to further the CIA's ends — but now it came right out and held a press conference at its $46 million headquarters at McLean, Va. It might as well have been the Department of Health, Education and Welfare. It admitted that it existed, and humbly requested the cooperation of the press.

Three motives may be discerned in this *volte-face*. The first is obvious: the agency did not like the image it had created for itself. The American public was gradually coming to the conclusion that the CIA was a self-perpetuating, ever-growing, tax-eating organization of spies, schemers and bunglers, with a few murderers thrown in. This was not the whole truth, but it was as near to it as the public could get and the CIA administrators sensed trouble ahead. The image could not be changed all at once, but a press conference might be the beginning of a more benign image.

What the CIA wished to reveal at its first conference had already been leaked, but it was not without interest. U.S. intelligence about the Soviet Union has gone through several phases, all erroneous. In the forties and early fifties the accepted doctrine was that the Soviets could not get very far because, without individual freedom, the divine afflatus of invention would be lacking. A scientist-engineer as distinguished as Vannevar Bush propagated this theory, which collapsed with the launching of the first sputnik. Then came the era of the Soviet superman. They would soon have a thousand ICBMs while we would have only a hundred, and we would have to choose between Red and dead. This theory died of inanition rather than implosion, and was given the *coup de grâce* in the economic field at the CIA press conference. In the last two years, through multifarious channels and scholarly studies, the CIA has discovered that the Soviet economy has grown by only 2.5 per cent annually, instead of the 6-10 per cent previously reported. Hallelujah!

The CIA press conference must have had the President's blessing; it is in line with his policy of downgrading the Soviet menace and perhaps letting both sides cut back on military spending without diminishing their security, such as it is. That is the second motive, and one can only wish it Godspeed. But it would be foolish to think that any Soviet weakness would not be seized on by the proponents of negoti-

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ating from strength, i.e., doing them in while the auguries are favorable. The current form this takes is to persuade our allies, who without exception wish to trade with either the Soviet Union or with one or another satellite, that selling anything but surplus wheat is a wicked act, and the more wicked if long-term credit is extended. A hard-nosed attitude, it is argued, will result in such weakness on the other side of that well-known curtain that we can have things all our own way. The CIA would like to drum up domestic support for this latest discovery, and that is motive three. If it succeeds, other press conferences may follow, until the public image of the one-time secretive agency becomes as beautiful as that of a Hollywood car-hop suddenly transformed into a starlet.

Two Trials

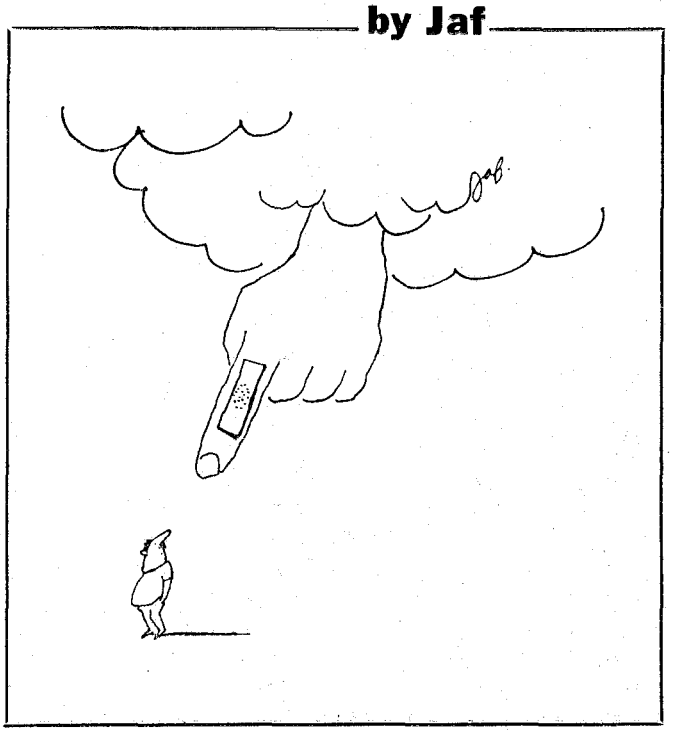
When the kidnaper of the Lindbergh baby was being tried at Flemington, N.J., a Canadian newspaper exclaimed: "What a police! What a press! What a country!" When Jack Ruby is tried at Dallas, the Flemington circus is likely to be eclipsed. In contrast, the trial in Jackson, Miss., of the man accused of slaying Medgar Evers will probably be conducted with a minimum of national publicity. Most American whites have already forgotten the Evers murder.

The Nation will be astonished if either trial should result in a conviction of first-degree murder, despite the report that in the Evers case the FBI has worked up the evidence. In the other case, there is no doubt that Ruby committed the murder — the whole country saw it on television. In Dallas, however, and in some other parts of this Christian country, the infraction of the Sixth Commandment is not taken too seriously if, for instance, the victim happens to be a Negro, or if the murderer is an outraged husband, or if popular passion is running high and the act gives it a momentary outlet. Oath or no oath, judges and jurors tend to follow the folkways. Just as Oswald probably could not have had a fair trial in Dallas (as James Donovan and others have suggested), so Ruby can hardly fail to receive a favorable trial. The crucial question, when the law is thus skewed by mass psychology, is only whether the defendant killed the right guy.

Ruby is fortunate, also, in that his defense is to be conducted by one of the leading lawyer-impresarios of our day — Melvin Belli — whose biography may be filmed with Tony Curtis as the star. (Why Tony Curtis? Belli plays himself with consummate artistry.) Come all the way from California to see justice done, the elegant attorney will try to show that while Ruby may have been sane before he dispatched Oswald and may be sane now, he was insane at the instant of the shooting. Belli has looked into the heart of Ruby and has seen "his own true, pitiful self. . . . I am convinced he was driven by his love for [President Kennedy] to do this act. I have the greatest compassion for him."

According to *Newsweek* (January 13), McGraw-Hill is paying the compassionate Belli a $10,000 royalty advance on the book rights to the defense version of the trial, with another $10,000 going to Alvin Moscow, who will be the as-told-to writer. Belli has also been assigned all of Ruby's literary rights as a guarantee of his $100,000 fee. Is not the laborer worthy of his hire? And the more so when his past performance is a guarantee that he will put on a good show?

by Jaf



Marching Through Georgia

In October, 1960, under the auspices of the Committee for Nonviolent Action, Bradford Lyttle initiated a peace demonstration which was to extend from San Francisco to Moscow. As far as possible, the demonstrators were to move on foot, carrying signs and handing out leaflets pleading for nonviolent policies on both sides of the Soviet-U.S. conflict over Cuba. After nearly a year, the travelers reached Moscow, where they "vigiled" in Red Square, spoke to thousands of Russians, and returned to the United States, dilate in spirit, as Walt Whitman says, and with a whole skin.

Not so in a more recent venture, at least as regards the skin. Under the same leadership, sponsored by the same organization, and including some of the same individuals, a small, highly disciplined band started a Quebec-Washington-Guantanamo Walk for Peace in May, 1963. But, like the earlier one, this was an integrated group, and it was soon apparent that the Deep South presented a tougher problem than the Soviet Union. Members of the group were arrested in Griffin and Macon, Georgia, for violations of local ordinances that had already been ruled unconstitutional by the Supreme Court of the United States. In Griffin, the police and the Georgia Bureau of Investigation extended Southern hospitality with electric

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cattle prods. The big trouble, however, did not start until the Christmas season, when the demonstrators reached Albany, Georgia. As usual, they discussed arrangements with the authorities. Police Chief Pritchett decreed that they could not pass through the business section. The demonstrators refused the by-pass instructions, and on December 23, fourteen—four Negroes and ten whites—were arrested on charges of disorderly conduct for leaving an assigned parade route and refusing to obey the "lawful order" of a police officer. As Mr. Lyttle says, the Southern authorities who control the police and the local courts circumvent Supreme Court decisions, or simply ignore them, and are the more incensed when Negroes engage in civil disobedience together with whites.

Since December 23, the date of the arrests, twelve of the young men and women have been on a hunger strike. Two are hospitalized, eleven still in jail, and one is presently unaccounted for. One of the four demonstrators who were not arrested is Barbara Deming, *The Nation's* correspondent.

People who are willing to risk their lives to show their faith in peace and the Constitution are also protecting the lives and liberties of those who have little to worry about except getting the snow ploughed out of the driveway. The address of the Committee for Nonviolent Action is 325 Lafayette Street, New York 12.

The Rugged Smoker

"Cigarettes Peril Health, U.S. Report Concludes. . . ."
The New York Times, 1/12/64

"Cigarette Makers May Step Up TV Advertising."
The New York Times, 1/13/64

It would appear that the cigarette people are going to take the dilemma by the horns. In true American style they are about to fight to the last bullet and die with their boots on. And there are several good reasons why they should.

First, there is considerable evidence that the American people have vast tolerance for noxious conditions. It is unnecessary to go into details of air, water and food pollution, strontium-90, dangerous drugs; the waste and desecration of natural resources; the dirt, noise and ugliness of our cities; the lamentable state of our car design and of our highways—you name it, our human creature will endure it. He has infinite capacity to encourage and exploit anti-gerontological effects. He has *earned* his right to lung cancer.

So why should not the cigarette folks strengthen their appeal to the American people? They are only responding to the *vox populi.* Now that the lethal properties of cigarettes have been given status, there is no need to sell them with namby-pamby plugs about the sporting life and thinking independently. Let's come right out with it, call a spade a spade. "Are You a Sissy or Not?" "Are You Afraid of Death?" "Stand Up and Be Counted." The cigarette folks will not be disappointed. Americans have guts as well as lungs. They have always been willing to pay with their lives for what they believe in.

The purity, the truth, the high moral plane of this new appeal cannot, perhaps, be maintained indefinitely. Dividends must be paid, and the sluggards must be rounded up. "Stick with the Habit You Understand." "The Family That Smokes Together Dies Together." "A Friend in Need Is the Friendly Weed." The slowpokes will soon join in. Timid they may be, but their desire to add to the general debilitation of man and nature is no less dedicated than that of their stalwart cousins.

A few final words about methods. Clearly the tobacco folk are right to count on the American people. But they must give their wares new names, new slogans, new faces in keeping with the new-found hard truth. No more appeals to inferiority complexes. No more deceit. Cigarettes used to be called "coffin nails"; it's high time we got back to that sort of picturesque accuracy. "Our cigarette contains more carcinogens than any ten leading brands." "Smoke *Sudden Death,* and *feel* the difference." "Hello there. This is Dorian Gray. I switched to *Cobra* six months ago and. . . ." This really begins to reflect the glory of America and Americans. We may well be on the edge of a new ice age.

Panama

THE TIME BOMB EXPLODES

Martin B. Travis and James T. Watkins

The time bomb in Panama has exploded. Panamanian politicians, seeking to divert public attention away from their own exploitive policies and toward the United States presence in their midst, are as responsible for the violent upheaval as Americans living in the Canal Zone. Moreover, the Fidelista extremists and nationalist students have become willing allies in agitating the Canal issues.

The bloody riots of January 9-11 ended a four-year period of deceptively peaceful relations between the United States and Panama. Temporizing policies of the Eisenhower and Kennedy administrations in this period may have exaggerated the expectations of the regime of President Roberto F. Chiari. Thus last January it was agreed that the Panamanian flag was to be flown wher-

Martin B. Travis and James T. Watkins are both professors of Political Science. Mr. Travis teaches at State University of New York (Stony Brook), Mr. Watkins at Stanford University. Both men have specialized in the field of international relations.

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Panama Prophecy

In The Nation *of April 30, 1960, Professors Travis and Watkins published "Time-Bomb in Panama," which opened with these farsighted sentences:*

"As the politicians in the tight little oligarchy which has ruled and nearly ruined Panama since 1903 study cues for their quadrennial shadow dance — the Presidential election . . . tremors in the earth hint that their stage is the roof of a volcano. The United States, guardian and administrator of the Canal, watches their local political miming apparently as inattentive to the political rumblings as the oligarchs themselves. Yet in Panama are to be found all the conditions for a nationalist revolution that will rival the recent upheavals in Cuba and Egypt. . . .

Apparently the presence of the United States in the Canal Zone, by providing a convenient whipping boy, helps blind Panama's rulers to the realities of their situation. . . ."

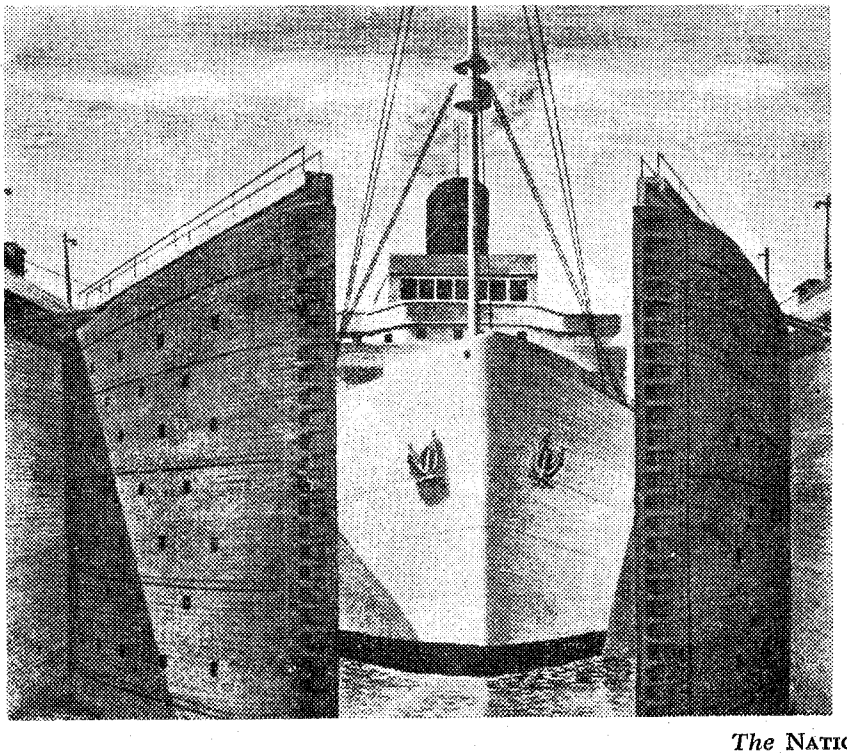
ever civilian authorities in the Canal Zone were flying the United States flag. (In defiance of this agreement, American children hoisted the Stars and Stripes at the Balboa High School and thereby triggered the riots.) Panama was also accorded the right to grant official status to foreign consuls in the Zone, provided that the United States found the consuls and their governments acceptable.

But negotiations involving further concessions to Panamanian nationalistic aspirations collapsed last June. These included a corridor through the Canal Zone, the flying of the Panamanian flag on ships transiting the Canal and the exclusive use of Panamanian stamps for zonal mail. President Chiari must have become progressively disenchanted with the United States performance. An inexperienced member of the Kennedy administration had agreed initially (and over the protest of State Department officials) to the renegotiation of the Panama treaty itself. Chiari's visit with Kennedy in June, 1962, may have led him to believe that his objectives would be accomplished through a series of Executive agreements that would by-pass a potentially hostile United States Senate. Chiari's disappointment is all the more bitter as his party tries to explain these meager results to constituents who will be voting for their next president in May.

Economic concessions by the United States have not satisfied the Panamanian oligarchy. The ruling merchant class and the industrialists (the wealth of Chiari himself is in extensive sugar land) want to replace United States commercial and industrial activities in the Zone with businesses of their own, or they want to be the sole suppliers for these activities. Thus far their only success has been to eliminate sales within the Zone of "third country" produce. Their plans to take possession of two profitable piers in Colon, which the zonal government was willing to yield, foundered last July on the rock of United States Congressional objection. The businessmen demand that minimum wages for Panamanian employees in the Zone be increased to $1 an hour (they already have risen from 60c in 1962 to 80c as of July, 1964). It does not matter that the oligarchs themselves pay no more than 40c an hour in the city, 25c elsewhere, while the Chiari sugar plantations pay less than $1 a day!

It was the scandalous experience of the Alliance for Progress in Panama which last autumn turned the United States Congress against the entire foreign assistance program. Perhaps the United States agencies involved in the program did lack coordination. But that was insignificant beside the fact that the Panamanian Government itself inhibited the construction of schools, health facilities and agricultural stations by trying to levy commodity taxes on improved materials for these purposes. It had to do so, for their construction would have made evident the administration's failure to provide teachers, doctors and nurses.

Knowledgeable Panamanians outside the government are frank to say that direct aid to farmers and small business is not encouraged because it would upset the traditional control of agriculture, cattle, sugar and milk by a few families, and would threaten the long-entrenched monopoly of commerce in the country. There was also the awkwardness of a dubious $10 million, middle-class housing project, sponsored by the brother of Panama's Catholic bishop, and a personal friend of Senator George Smathers (D., Fla.). After reported pressure from Senator Smathers, AID officials gave the project their tentative approval in July, even though there had been no competitive bidding, and a "finders fee" for the



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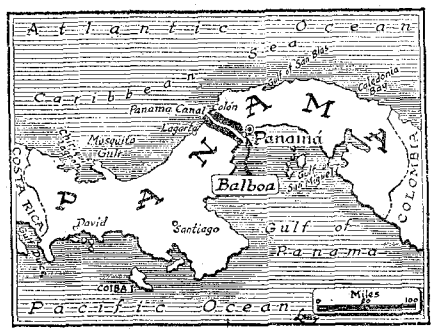
sponsor had been set at $100,000. In all this, the massive indifference of the ruling elite, together with government confusion, red tape and inefficiency, has prevented the utilization of more than $30 million of the $48 million assigned to Panama under the Alliance program.

There are two lessons for the Johnson Administration in the Panamanian experience. The first concerns the nature of the nationalistic demands on the Canal Zone. These are not restrained and rational, as some of the cosmopolitan Panamanian rulers would have us believe; they are comprehensive and emotional. Captain Miles P. DuVal, Jr., leading historian of the Panama Canal, Representative Daniel J. Flood of the House of Representatives (D., Pa.), and Major General W. E. Potter, the former Governor of the Zone, were right in saying that concessions to nationalistic sensibilities would only increase the Panamanian appetite. The most popular United States envoy in Panamanian history, Joseph S. Farland, would not have withstood the tide for long if he had not resigned last August. Despite the noteworthy effort of the United States military in the Canal Zone these last two years to change the image of Americans in Panama by its Operation Friendship program (which now must be assessed as coming too late), the recent outbursts have exceeded anything in the fifty-year history of United States-Panamanian relations. So far and so deep in Panama has the national fervor spread.

The second lesson to be learned by the Johnson Administration concerns the quality and authority of the oligarchic elite. It is now clearer than ever that the Panamanian leaders have become victims rather than exploiters of nationalist sentiments. The record will also show that they are a feeble reed upon which to rest hopes for social reform and economic development. One might have expected them to resort to blackmailing the United States by threatening nationalization of the Canal as a means of gaining assistance for necessary social reforms which they were unwilling to finance themselves. Instead, they have chosen to exploit the reform projects for their personal profit.



Lenz: Christian Science Monitor

If these two lessons are learned in Washington, there will be no thought of resorting again to policies of conciliation and temporization on Panama. The nationalistic genie is uncorked, and Panamanian leaders are no longer able to direct it. Nationalization of the Canal would be for the Panamanian elite who have profited from United States control—quite as much as for the United States and the maritime countries of the world—the least desirable alternative. For one thing, where would trained Panamanians be found to operate a sophisticated lock-canal system, vastly more complex than the sea-level canal which the Egyptians were confronted with in Suez?

We conclude, then, that the wisest course today, and one long overdue, is internationalization of the Canal under a United Nations specialized agency, responsible to the community of nations as a whole, and made up of representatives of all the Canal's principal users within and without the Western Hemisphere. To place the Canal under the Organization of American States would be to ask too much of the most responsibly democratic Latin powers. Their governments are supported by Yankee-phobe publics, and their decisions will be so guided.

Internationalization in the form of a UN specialized agency could be expected to enhance the security of the waterway. Hopelessly vulnerable in a general war, as the United States military is now willing to concede, an internationalized canal would at least offer a less attractive target than one controlled by the United States. And the United States defense of an internationalized canal would enjoy widespread moral and practical support.

A new twist to canal history has come in the recent support for internationalization by the Panamanian representative to the United Nations, Aquilino Boyd, speaking before the Security Council. It was the more surprising that he should have endorsed it because of his past associations with nationalistic student groups. But it may be that Boyd, like his colleagues among the Panamanian oligarchy, foresees an imminent shift of internal government power, and would prefer internationalization to the alternative of operation of the Canal by Panamanians of another camp.

Once the Canal came under the aegis of the UN, Panamanians would get an increasingly more important role in its operations. The Panamanian flag would fly alongside that of the UN on ships passing through the Canal, and all vestiges of segregation and discrimination would disappear. By such developments, the strident xenophobia would be removed as a quality of the nationalistic sentiments of the populace. Business interests could anticipate even greater access to Zone markets, and stability in the general picture would increase the stability of their own position.

At the same time, it may be that key voices in the United States will now acknowledge the wisdom of internationalizing the Canal. Conditions in Panama are pushing that country toward revolution, of which one of the first fruits would be a move to nationalize the Canal. In that event, the United States might well find all Latin America lined up in support of Panama, just as we now find Venezuela mute and stunned by the Panamanian deaths at the hands of the United States military. Is it too much to believe that international communism could find in revolutionary Panama another Cuba?

President Lyndon Johnson has established himself as a consummate politician. His advisers have surely alerted him to the pace of events in Panama. United States allies both in Latin America and Europe recognize that a change in the Canal operation is imminent. Will history record, in this election year, that President Johnson employed his political skills to convince the American public that only in the internationalization of the Canal can future upheavals be avoided? Or must we look forward to the explosion there of other time bombs?

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OSWALD and the FBI . . . . . Harold Feldman

The Warren Commission should, if possible, tell us how President Kennedy was killed, who killed him, and why. But beyond that, it *must* tell us if the FBI or any other government intelligence agency was in any way connected with the alleged assassin, Lee Harvey Oswald. At this moment, the possibility of such associations in the young man's life is intolerably a subject for speculation.

On the day after the assassination, the Dallas Chief of Police complained on television that the FBI had interviewed Oswald about a week earlier and had failed to inform the Dallas authorities of this fact — something the bureau would normally do after making contact with a suspicious Red. Drew Pearson also reported this but added, "In Washington, the FBI denied that they had interrogated Oswald recently."

However, Michael Paine, who with his wife helped take care of Mrs. Oswald and the two children, "claimed that FBI agents had visited Oswald more than one time after he returned to Dallas from a trip to Mexico City." Oswald returned to Dallas from Mexico on October 3, 1963. This report also is contradicted by another:

> *The FBI picked up the trail again in Dallas after Oswald's return there on Oct. 3. He was not interviewed, but agents checked twice with Mrs. Ruth Paine, who told them that Oswald had gone to work on Oct. 16 in the Texas State School Book Depository.* (The New York Times, *12/10/63.*)

The Minority of One (January, 1964) tells us:

> *William M. Kline, chief of the U.S. Customs Bureau investigative services in Laredo, Texas, stated on November 25 that Oswald's movements were watched at the request of "a federal agency at Washington."* (New York Post, *November 25.*) *Eugene Pugh, U.S. agent in charge of the Customs office on the American side of the bridge at Laredo, Texas, said that Oswald had been checked by American immigration officials on entering and leaving Mexico. Mr. Pugh admitted to the New York* Herald Tribune *that this was "not the usual" procedure. He said Americans were not required to check in with Immigration when crossing the border, "but U.S. immigration has a folder on Oswald's trip."*

One thing is clear: the FBI was in fairly constant touch with Oswald's activities. How far these contacts went is indicated in "the revelation that the Federal Bureau of Investigation tried to recruit Oswald as an undercover informant in Castro groups two months before Mr. Kennedy's death." This report, which appeared in a *Philadelphia Inquirer* dispatch from Dallas December 8, went on:

> *The FBI attempt to recruit Oswald as an informant, an informed law enforcement source said, was made in September, just after he had moved to Dallas from New Orleans.*
>
> *Oswald's mother said an "agent named Hosty" came to the Irving house and talked to the young man at length in his car.*
>
> *An FBI agent named Joseph Hosty handles investigations of subversives for the Dallas field office.*
>
> *The source said he did not know if the FBI succeeded in hiring Oswald; and the federal agency would not discuss the matter.*

On January 1, Lonnies Hudkins of the Houston *Post*, published a story under the headline: "Oswald Rumored as Informant for U.S." Hudkins found that Oswald did know agent Hosty. He had Hosty's home phone, office phone and car license number — this on the authority of William Alexander, assistant to Henry Wade, Dallas District Attorney. Alexander had attended the grilling of Oswald on November 22 and 23. Hudkins notes that if the FBI had Oswald under surveillance, the watch could not have been too close or they would have known about the rifle and other matters; but, as a sheriff deputy put it, "you just wouldn't think to check out one of your own stoolies." Hudkins quotes Wade, himself a former FBI agent, as saying: "It may be true, but I don't think it will ever be made public if it is."

What the public hears of the FBI's part in the Oswald case is usually a report that such and such a witness or authority has been asked, or ordered, to keep his mouth shut. Thus, Dr. J. J. Humes of the Naval Medical Center in Bethesda, Md., the man who conducted the autopsy on the President, seemed to be the best authority on the exact angle of entry of the murder bullets, but "Dr. Humes said he had been forbidden to talk." A thirty-four-year-old machinist named Malcolm Howard Price said he had looked through the telescopic sight of Oswald's rifle on a rifle range in suburban Dallas — but "Mr. Price declined to answer further questions because, he said, the FBI had asked him not to talk. The FBI here [Dallas] denied this." (*The New York Times*, December 10.) On December 6, the *Times* had observed:

> *Most private citizens who had cooperated with newsmen reporting the crime have refused to give further help after being interviewed by agents of the Federal Bureau of Investigation. Dallas city and county police withdrew their help the same way. One high officer said he wished he could answer questions "because it would save us a lot of work."*

The Western Union office in Dallas handled frequent messages for Lee Oswald, but inquiries there brought the reply that "any details or comment would have to come from Washington headquarters of the Federal Bureau of Investigation."

It is in the light of this official coyness that we must consider the possible connection of Oswald with the attempted shooting of General Walker. Oswald's widow is said to have declared that he boasted of shooting at that doughty warrior. In view of her prolonged seclusion from the public, and even from relatives, under government supervision, we must infer that any statement alleged to be hers at this time is a deliberate "leak." It is interesting that a similar "leak" at the beginning of the case — that a rifle which Mrs. Oswald knew her husband had kept in a garage was missing on the morning of the assassination — proved to be false. The FBI is also reported to have found a document in Oswald's hand-

Harold Feldman is a translator and journalist, living in Philadelphia. As a translator, he has worked extensively for the Social Security Administration. Mr. Feldman is also a frequent contributor to psychoanalytic journals, one of his papers having been "The Hero As Assassin."

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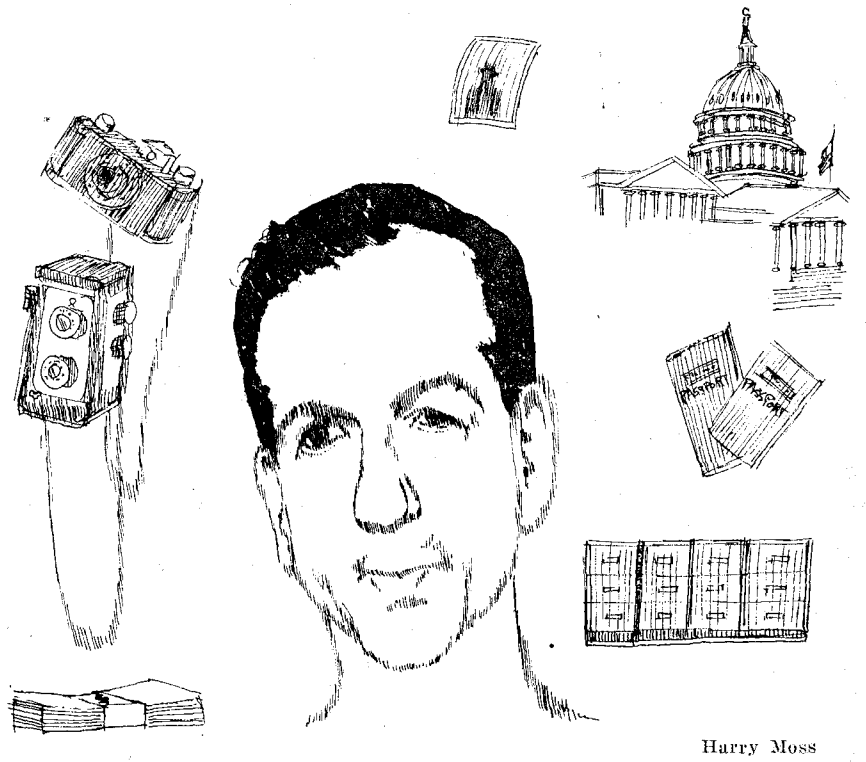
writing that mentions his attack on Walker, but once again the document has not been produced for examination or reproduced in the press.

Incidentally, if "the loner" did try to shoot General Walker, we would be again confronted with questions like those raised about the killing of the President. "At the time of the Walker shooting," we read in the *Philadelphia Inquirer* of December 7, "Dallas police reported the bullet was from a .30-06 caliber rifle. The weapon used to kill Mr. Kennedy was a 6.5 millimeter weapon, equivalent to about .270 caliber." Moreover, an eyewitness in the Walker affair informed police that he saw at least two men enter the getaway car after the shooting. (Oswald never learned to drive a car.)

Was the alleged assassin of President Kennedy employed by the FBI? We have seen a news report that the agency tried to recruit him and that it has refused to say whether he accepted the offer. At present, all we know is that his history, as we have been able to piece it together, is *not inconsistent* with such employment. Indeed, his financial record seems entirely inexplainable unless we make some such hypothesis.

If there is anything constant in Oswald's life, it is his need of money. After three years on a marine private's pay, he goes to Russia. There he works in a factory for the pittance of 80 rubles a month. He returns to America with a wife and child in mid-1962 and thenceforward works at a series of jobs paying the legal minimum wage or less — when he is not unemployed. For months his only acknowledged source of income is the Texas unemployment compensation of $33 a week. His job at the School Book Depository, from whose warehouse he is supposed to have shot the President and Governor Connally, paid him $1.25 an hour.

Surely he was a pauper, a fellow whose monetary resources could only keep him swinging between want and destitution. But if there is another thing about Lee Oswald as certain as his indigence, it is that he was often capable of expenditures that would have cramped the purse of a suburban status seeker.



Harry Moss

After years of subsisting on a marine's pay, from which he occasionally sent money to his mother, he undertakes a trip to Russia with a capital of $1,600. How could he have put aside this nest egg? After years of low factory remuneration in the Soviet, he wants to return to the United States and, in a letter to his mother, estimates the cost at $800. He borrows $435.71 from the United States Embassy in Moscow but, *mirabile dictu*, he repays the loan between October, 1962, and January, 1963, during which time he was unemployed for several weeks and worked for a time as an unskilled developer of photostatic prints.

A Miss Pauline Bates, public stenographer, whom Oswald paid for typing his notes for a book about Russia three days after his return, has said that "he hinted he had gone to the Soviet as a U. S. secret agent." He allegedly told her then that "when the State Department granted my visa, they stipulated they could not stand behind me in any way," an admonition suggestive of instruction, to an undercover man.

Back in America, as impecunious as ever, he finds the money to rent an office for $30 a month, where he sets up in business as the New Orleans chapter of the Fair Play for Cuba Committee. He buys a rubber stamp, he prints 2,000 leaflets, he pays a $10 court fine, he buys a rifle and telescopic sight by mail, gets them assembled and boresighted — and in his room after his arrest the police find $150. This young man, untalented, it appears, for anything but finding odd windfalls of money, goes to Mexico City for a week to get visas for a trip to Cuba and Russia that would have cost at least $1,000. (The Cuban and Russian consulates did not issue the visas.) After the murder of the President, the police find in his room, in addition to the wad of money, "several expensive cameras and rolls of film."

Where did the money come from? The FBI and the Dallas police fail to supply information on the subject. For the Russian period, we have the unsupported assertion of *Pravda* that Oswald was an American spy who made numerous contacts with the American Embassy. This might indicate a CIA affiliation. He wrote his mother that, on his return, he would spend a day or so in New York and Washington for "sightseeing." After that, all is dark except for one hint. An Associated Press dispatch of November 30 from Dallas says in part:

> *"Someone telegraphed small amounts of money to Lee Harvey Oswald for several months before the assassination of President Kennedy, it was reported today," the*

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Dallas Times Herald *said. The unidentified sender telegraphed Oswald $10 to $20 at a time.*

Here apparently are some of the Western Union items about which the FBI has been so secretive — but why this secrecy? If the money came from the Communist Party, it is hard to understand why the FBI should cooperate in a Bolshevik plot. If it came from a right-wing or Fascist source, the FBI could not lose much by revealing it. But if the money came from a government source, then the agency's reticence is understandable.

Shortly before the assassination, Oswald seemed to be expecting better times:

Mrs. Ruth Paine, the woman with whom Marina was staying, said: "He seemed in exceptionally high spirits." [When he visited his wife the weekend prior to President Kennedy's arrival in Dallas.] Oswald told his wife "things are looking up" and that soon they would have enough to look for an apartment, buy furniture. (Sunday Bulletin, *Philadelphia, 12/15/63.*)

If the FBI did not employ Oswald or work with him, then who wrote the letters he addressed to the Fair Play for Cuba Committee in New York? Oswald alone certainly didn't. Whoever wrote the letters to New York was coherent, commanded a good vocabulary, rarely misspelled a word, and punctuated decently. Oswald himself wrote English that a sixth-grader would blush to acknowledge. Here is a letter he wrote to his mother from Russia on June 28, 1963. I preserve the original spelling and punctuation:

Dear Mother.

Recived your letter today in which you say you wish to pay me back the money you used last year, that, of course, is not nessicary however you can send me somethings from there every now and than.

If you decide to send a package please send the following:

One can Rise shaving cream (one razor (Gillet)

Pocket novels westerns and scienace fiction — Time or Newsweek magazine

Chewing Gum and chocolate bars.

Thats about all. Ha-ha

I very much miss sometime to read you should try and get me the pocket novel "1984" by Wells.

I am working at the local Radio plant as a mettal worker. We live only five minutes from there so it is very conveinant.

Well thats about all for now. I repeat you do not have to send me checks or money!

Love XX

Lee

P.S. Marina sends a big Hello to you also

Now compare this semi-literate effusion with the following addressed to the Fair Play for Cuba Committee about two years later. (A *New York Times* report on the letters to FPCC indicates that they were handwritten, so presumably no public stenographer improved their style.)

Dear Mr. Lee:

I was glad to receive your advice concerning my try at starting a New Orleans F.P.C.C. chapter.

I hope you won't be too disapproving at my innovations but I do think they are necessary for this area.

As per your advice I have taken a P.O. Box (N.O. 30061).

Against your advice I have decided to take an office from the very beginning.

I u c [apparently meaning, as you see] from the circular I had jumped the gun on the charter business but I don't think it's too important. You may think the circular is too provocative, but I want it to attract attention even if it's the attention of the lunatic fringe. I had 2,000 of them run off.

The major change in tactics you can see from the small membership blanks, in that I will charge $1 a month dues for the New Orleans chapter only and I intend to issue N.O. F.P.C.C. membership cards also.

This is without recourse to the $5 annual F.P.C.C. membership fee.

However, you will lose nothing in the long run because I will forward $5 to the national F.P.C.C. for every New Orleans chapter member who remains a dues paying member for 5 months in any year. . . .

And so on for several more well-integrated paragraphs.

He now spells "receive" and "necessary" correctly. He has mastered the apostrophe. His ideas cohere. He tackles words like "innovations," "provocative," "recourse," "disapproving," "approaching" and "application" with success, something that would have been clearly beyond the powers of the voluntary exile in Minsk.

Until the authorship of the letters to FPCC is settled, I think it reasonable to suppose that Oswald did not compose them, at least not without help. Who, and where, is the invisible scribe? No associate of his New Orleans period has been found, or even hinted at. If Oswald was employed by the FBI to operate in "Castro groups," as the news report suggests, it is also reasonable to suppose that in the letters to FPCC his pen was guided by the FBI.

It is no simple matter any longer for a radical American to get a passport from his government. If he is a known Communist or subversive, it is almost impossible. Let a man be known as a do-gooder, bleeding heart or a nonconforming screwball, and his application for travel will be greeted with jaundiced eye and dragging feet. But Lee Oswald got one readily as late as June, 1963.

One day last June, he applied for a passport and — despite his record — got it in a single day. He called himself a "photographer"; he said he planned to take a long trip abroad — perhaps including Russia — late this year. (Newsweek, *12/9/63.*)

By that date, Oswald was known as a Soviet defector, had praised Castro on a radio program, and on November 2, 1959, had written an affidavit saying, "I affirm that my allegiance is to the Soviet Socialist Republic." But his passport application was granted—and posthaste! "It still isn't clear how it was processed so rapidly," commented the New York *Herald Tribune.*

Oswald's apartment, too, was filled with fascinating things. Besides the batches of leaflets with the legend "Hands Off Cuba!" and bearing the unauthorized imprint of the Fair Play for Cuba Committee, police found seven metal file boxes filled with names of Castro sympathizers. How did he manage, in so short a time, to compile so extensive a list?

The FBI appears once more in Oswald's news life during the last two days before he was killed. One report details two telephone calls made by FBI agents to the Dallas Police on November 24, warning them of threats against Oswald's life. The threats materialized later the same day under circumstances which raised a forest of questions throughout the world.

Equally puzzling, his mother, Mrs. Marguerite Oswald, has insisted that an agent of the FBI showed her a photograph of Jack

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Ruby just about seventeen hours before Ruby shot her son.

It was understood, however, that Federal agencies had acknowledged that she had been shown a photograph that night for identification, but spokesmen would not disclose whether it was that of Ruby. (The New York Times, 12/2/63.)

The next day the FBI denied that the photograph was that of Jack Ruby but they would not comment further. Mrs. Oswald repeated her statement and has demanded that the pictures be produced again.

The following item completes, for the moment, this side of the weird Dallas story.

Washington, Dec. 9 — The Federal Bureau of Investigation gave the Secret Service a "risk" list of Dallas individuals in advance of President Kennedy's fatal trip, but the list did not include the name of Lee H. Oswald.

An official source explained today that Oswald's name, like many others in the Dallas file, had been omitted because the F.B.I. found nothing in Oswald's background to mark him as a potential assassin. . . .

Oswald was not under surveillance by the F.B.I. at the time of President Kennedy's visit to Dallas Nov. 21, the F.B.I. noted. Months of checking by the F.B.I. had indicated that Oswald was neither a spy nor a saboteur. That, it was said, covered the statutory area of F.B.I. responsibility. (The New York Times, 12/10/63.)

Lee Oswald, the twice-court-martialed marine who defected to Russia and renounced his American citizenship, the pro-Cuba activist who had been arrested a few months earlier while distributing leaflets, this erratic "Marxist" who was employed on the route of the President's motorcade—Lee Oswald did not qualify for the FBI's exclusive "risk" list. And why? Because the FBI's "statutory responsibility" was limited to suspected spies and saboteurs!

This sudden legalistic attachment to its self-interpreted "statutory" obligations must cause very wan smiles indeed among the many individuals and organizations (including the NAACP and the Unitarian Church in Texas) which have come under the beady-eyed surveillance of the Federal Bureau of Investigation.

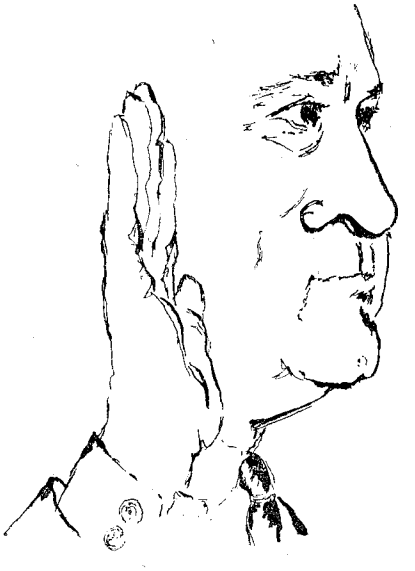
New Hope of the Far Right . . . . Gene Marine

To his followers, Maxwell L. Rafferty, California's new Superintendent of Public Instruction, is worthy of the same kind of uncritical, almost worshipful adulation that extreme conservatives give Sen. Barry Goldwater. To his critics, he is a slippery, cool, tough, unprincipled rightist, bent on taking over California for the John Birch Society. Actually, he's neither. He's far more important. When Jesse Unruh, the tough-minded Speaker of the California State Assembly, says that Rafferty "terrifies" him, it's worth looking to see why.

Elected in November, 1962, on a vague but forcefully stated platform shouting for "basic education," Rafferty is obviously significant to those who are primarily concerned with education. He was chosen in the most blatantly partisan contest ever waged for the nominally nonpartisan office, and has emerged as a dynamic, popular vote-getter in a state where the rest of the Republican leadership is decimated.

But most important is the fact that Max Rafferty's candidacy and election have demonstrated more clearly than ever the close connection between California's "respectable" and "radical" Right. Today Rafferty is a self-described "Eisenhower Republican." Yesterday he was a contented associate of Birchers, anti-income-taxers and other virulent rightists. From beginning to end, the transition has been worked out, supported and, to a large extent, bankrolled by wealthy Californians who are both. Rafferty's prominence is neither accidental nor transitory.

Richard Nixon, now a resident of New York, talks safely about the "kooks" of the Right, but the fact is that the rightist political structure of California, in which respectability and radicalism are but two sides of the same coin, was first exposed in 1952 when the names of the contributors to the now-famous "Nixon fund" were published. In 1958, when Californians fought out the right-to-work issue on the ballot, the same names, of respectable business leaders who are also major supporters of the radical Right, turned up again. And they turned up for the third time in 1962 — behind Max Rafferty.



The nonpartisan election for the superintendency is a winner-take-all primary in June, unless no candidate gets a majority; in that case the top two run it off, as happened in 1962. At that time, in the few areas—San Francisco, Sacramento, Fresno, Santa Barbara — where good press coverage was given, Ralph Richardson of Los Angeles was pictured as the "liberal" candidate, Cecil Hardesty of San Diego as the "conservative" and Rafferty as a powerful rightist. Hardesty was supported by the powerful California Teachers Association and other school-administrator groups. Thus the primary election was not a straight conservative vs. liberal fight.

Rafferty's primary-election supporters can therefore be taken to be the people who backed him from the start. That list of supporters includes at least four Nixon-fund contributors. It includes the law firm—Gibson, Dunn & Crutcher—

Gene Marine, editor and journalist, specializes in the West Coast scene.

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which issued a "clearance" of the fund's propriety; twelve contributors to the right-to-work issue; at least nine executives or directors of major oil companies, and a number of officers and directors of a few other powerful California firms —Cyprus Mines, Inc., Pacific Mutual Life Insurance, State Mutual Savings and Loan, California Bank.

These are not men who play for aggies. There is little question that Jesse Unruh, who knows as much about economic power in California as any politician in the state, has reasons for his concern about Rafferty.

Rafferty came to the attention of the organized Right shortly after becoming Superintendent of Schools in Southern California's silk-stocking community of La Cañada in March, 1961. Starting as a football coach and English teacher in a small district, he worked his way up along the usual hierarchical ladder, always in smaller districts, drawing on a genuine executive ability and personal charm. In June, 1961, he made a speech in the La Cañada junior high school auditorium, where he unleashed a gift for purple prose and extravagant generalization that is still one of his outstanding and popular characteristics:

> *The results* [of our present educational system] *are plain for all to see: the worst of our youngsters are growing up to become booted, sideburned, ducktailed, unwashed, leather-jacketed slobs, whose favorite sport is ravaging little girls and stomping polio victims to death; the best of our youth coming into maturity for all the world like young people fresh from a dizzying roller-coaster ride, with everything blurred, with nothing clear, with no positive standards, with everything in doubt. No wonder so many of them welsh out and squeal and turn traitor when confronted with the brutal reality of Red military force and the crafty cunning of Red psychological warfare.*

Another passage from the same speech has been the subject of continuing controversy about exactly what was said:

> *We had better not be caught withholding from this nation's children the wonderful, sharp-edged, glittering sword of patriotism. In a word, this means Indoctrination. An ugly word? I think not. But if it is ugly to teach children to revere the great Americans of the past—to cherish the traditions of our country as holy things—and to hate Communism and its creatures like Hell—then I say let's be ugly, and let's revel in it.*

By August, the speech was being distributed in mimeographed form by Poor Richard's Bookshop and the Betsy Ross Bookshop, Birch outlets in the Los Angeles area. In October, it was reprinted in condensed form in the *Reader's Digest*. Rafferty immediately became a darling of the Right, and he has been so ever since. The John Birch Society regularly urges its members to read one book a month from its approved list; when Rafferty's *Suffer, Little Children* appeared, the Society recommended it "especially."

Before the end of the year, the incumbent Superintendent of Public Instruction, Dr. Roy Simpson, blasted the speech-turned-article as "irresponsible and unfounded." But Dr. Simpson was retiring, and the politically minded all over the state knew it. The forces of the Right were alert to the opportunity.

Original rightist support centered around Dr. Virgil Hollis, Superintendent of Schools in Marin County, just north of San Francisco. In December, 1961, however, Hollis decided not to run, and Rafferty's name began to be mentioned. A "draft Rafferty" headquarters was opened in Fullerton, Orange County, in the office of a public relations woman named Zan Thompson.

Printed sheets prepared by the "Draft Committee" and bearing the Fullerton address were distributed through Birch outlets; the official story is that the draft movement just grew from there. Actually, Hollis, seeking to round up support for Rafferty, wrote several letters, one of them to Jud Baker, political editor of the *Los Angeles Herald-Express*. According to Baker, Rafferty was soon summoned to a "meeting of millionaires" at the California Club in Los Angeles and given their approval — presumably they were the same oil, banking and real estate figures whose names appear on his list of contributors.

Unknown to most Californians, these individuals and their corporate cohorts are the men who dictate financial terms to the state's political conservatives, despite the warped vision that can lead them to support the Manion Forum, *Human Events*, and other rightist activities. They are the men who, in 1958, genuinely believed their own mythology about the "Walter Reuther-Jimmy Hoffa-Harry Bridges brand of unionism," as the *Los Angeles Times* once startlingly put it. And they are the same Californians who, in 1964, will convince themselves, and try to convince the state, that Barry Goldwater is the authentic voice of the inarticulate public mood.

In California, their hearts and their money are riding with Max Rafferty.

The Republican leaders who hadn't already disappeared—as had Knowland, Knight and others—were almost certain losers in 1962, except for Senator Kuchel, a "Warren man" whom the conservative elite has never liked. This oligarchy needed a new, bright face, a new winner—and they got one. There is no overemphasizing the importance of the fact that Rafferty was their candidate from the very beginning.

The popular liberal picture of Rafferty as a right-winger and nothing more is a myopic vision, and dangerously so. For like Goldwater, Rafferty uses the classic conservative ploy: nail down the right wing and move toward the Center.

Several Democratic Party leaders are well aware of the danger from Rafferty. One of them said privately, "He's more dangerous than Nixon—he's like Nixon, in that he doesn't have any real convictions of his own, he'll contradict himself all the time. But Nixon was remote and cold—Rafferty is warm. He has charm." Indeed, Rafferty is a charismatic as well as a handsome man. With abundant iron-gray hair topping a granite-jawed, usually determined face, he can call on a quick smile, a ready articulateness and a disarming air of candor. He used all of them in a lengthy interview for *The Nation*. Without being asked, he began with a long, well-informed discussion of his pending effort to put into California's history teaching more details about Negro contributions to American culture. He remained charming when asked about his 1961 remarks concerning "indoctrinating" students with patriotism:

> *There is an attitude about teaching history, which is very common and which on the surface sounds very good. The idea is that you try, simply and scientifically, to*

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teach the facts—to tell the children just what happened, as far as possible, and then to let them make up their own minds about it. I respect that attitude, but I disagree with it. You don't learn to love your country that way. You don't learn to love your mother by studying all her good points and her bad points and weighing one against the other. You don't learn to love her through a process of thesis, antithesis and synthesis. I don't think you can teach children to love their country that way.

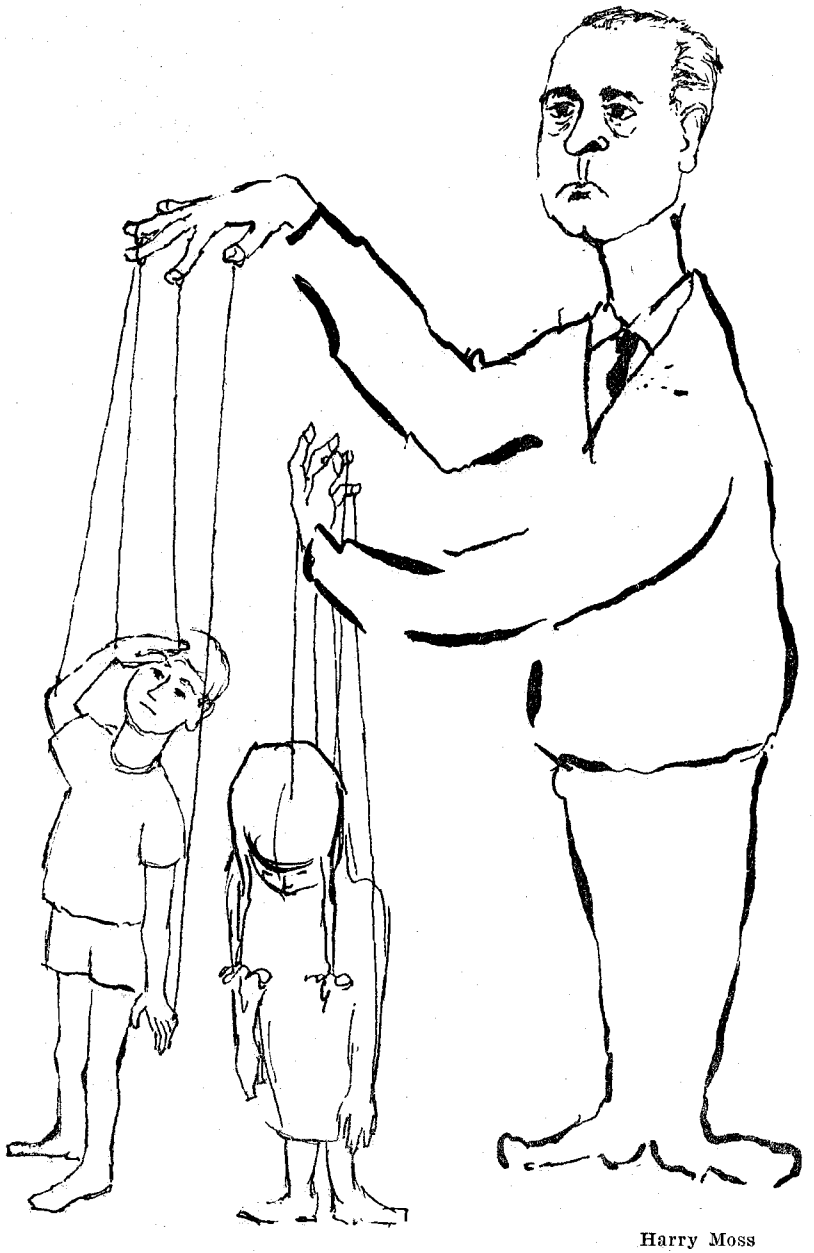
Unimpressed by the nominally nonpartisan nature of Rafferty's job, Jesse Unruh, as a leading Democrat, laced on his six-ounce gloves early. Their first public conflict was over "politics in education," and the consensus is that Rafferty, trading on the "bossism" image favored by Unruh's opponents, got by far the best of it. ("I got clobbered," Unruh says simply.) A short time later, Unruh tried again, hammering at Rafferty's Birchite support and challenging him to deny that he'll be the Republican candidate for Governor in 1966. This fight was going on when Rafferty was interviewed for *The Nation*.

"No educator ever gets elected to public office," Rafferty smiled. Then he went on: "Mr. Unruh is a shrewd politician. After November, when all the smoke had cleared, he looked around among all the corpses and saw one Republican standing. The only other one, Mr. Kuchel, is off in Washington. Naturally Mr. Unruh leveled on me. It's ridiculous."

Rafferty later said that Unruh was building a "straw man" in order to consolidate his own position—a line that has since been successfully sold to a number of liberals, particularly those away from Sacramento, who still think of Rafferty as largely supported by the less "respectable" Right.

Rafferty also told *The Nation*, "I have no plans to run for Governor —my job is here." The phrase had a familiar sound, possibly because of a letter Rafferty wrote in December, 1961 (just six months before the primary election), to the president of the La Cañada Board of Education. Referring to the possibility of his being "drafted" for the state office he now holds, Rafferty wrote: "I am not a candidate for any public office. Moreover, my present obligations completely obviate any possibility of my interest in such an office at this time." And not long after his interview for *The Nation*, Rafferty told a reporter that he "would run for governor for either party in 1966 if the public, major newspapers, and radio and television stations wanted him to." (*San Francisco Chronicle*, Nov. 18, 1963.)

Rafferty has by now convinced most Californians that he has no affiliations with the John Birch Society, but there is a faintly Nixonesque flavor about the record in retrospect. On May 16, 1962, for instance, he held a press conference in Los Angeles and said, among other things, "I am not a member of the Birch Society. I am not acquainted with anyone in the society. . . ." A month before, in the April 13 *Los Angeles Times*, a three-column photograph showed Rafferty in smiling conversation with then-Congressman John Rousselot, who had already received national attention as a Birch Society member. The picture was taken at a meeting conducted by the rightist Doctors for Americanism; Rousselot and Rafferty were only two of a number of right-wing guests.



Harry Moss

At about the time of Rafferty's interview with *The Nation*, a series of events had just begun—too complicated to describe here—which was to make a state-wide issue of a book called *The Dictionary of American Slang*. The issue arose originally because the book was (and is) in the Sacramento high school library—on a not-for-

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circulation, use-only-under-supervision basis. The book includes definitions of what its authors refer to as "taboo" words, and the question of "obscenity" arose. Rafferty, who was not then involved in the controversy, was asked about it. "As a teacher of English," he responded quietly, "I don't really think much of slang dictionaries. I read this dictionary when the controversy started. It's not bad, but I'm not sure it's appropriate for high school students, are you?"

Mild enough. But the next day, Rafferty issued a statement on the dictionary, a carefully thought out blast that must have been in preparation during that mild, easygoing interview. The book, he said, was "filthy" and "a handbook of sexual perversion." What was needed, he suggested, was "a little bit of censorship." Rafferty was in every paper in the state, as he has been at least once a week ever since.

In private, he had elaborated slightly on his vision of censorship: "Every school librarian censors books all the time. They censor books when they decide what to buy. Censorship is what they get paid for."

A short time before, Rafferty had clashed with the chairman of the State Board of Education, Thomas W. Braden. When Braden was reappointed by the Governor, a group of Rafferty's campaign followers, still organized and now bearing the title of Responsibility in Education, Inc. (RinE for short), flooded the state senate with thousands of letters protesting confirmation of the appointment. Braden was confirmed — as all experienced observers, probably including Rafferty, knew he would be — but a number of things were accomplished. The Raffertyites had a new rallying point to hold them together; the image of Rafferty-against-the-Democratic-administration had been carefully drawn.

With Rafferty's blast against the slang dictionary, the legislature was flooded again, this time with mimeographed reprints of the most "taboo" words and their definitions, along with sheets demanding Braden's resignation. Rafferty has persistently disclaimed any control over these efforts, but after unfavorable publicity about the mimeographed "dirty words" being given to children, he has nevertheless indicated that he thinks he can call it off. In doing so, he has committed another masterful Nixonism:

> *I doubt if there is anything further to be gained by such circulation. . . . Every indication points to* [the book's] *rapid disappearance from our public library shelves, or at the very least its rigidly restricted use under controlled conditions. . . . There never has been a question of censorship in this whole affair—only a question of advice from my office on a matter of common decency, morality and good taste.*

Note Rafferty's reference to public libraries—never involved in the matter—his ignoring his own previous remark about censorship and especially his bland implication that the campaign had achieved the book's "rigidly restricted use under controlled conditions" — which is where it was in the first place.

But Rafferty appears to know what he's doing—or at least, his actions since taking office have followed a pattern that makes the early support of the conservative power elite of Southern California look well placed. He has now adopted the position that there is "no controversy" between him and Braden. He has made several public appearances every week, touring the state to speak to almost anyone who will have him—frequently local Republican groups.* And he has so handled his public relations—even coming out on top of the formidable Jesse Unruh—that his ever-widening group of supporters increasingly sees him as a lone and gallant David, staunchly defending integrity and "basic education" against a Goliath-like Democratic machine.

In addition, Rafferty has brought his undeniable executive skill to bear in the Department of Education itself, so that an increasing number of teachers in the state, no better informed than other citizens, are gaining a favorable impression of his abilities. His statements on education, relying as they do on oversimplified generalizations, have a wide appeal to California's many immigrant parents, who brought with them, in one observer's words, "small-town and down-on-the-farm ideas."

Add the picture Rafferty is presently painting of himself and the nature of his early and continuing support, and one can easily credit the vision of *San Francisco Examiner* education editor Ron Moskowitz:

> *The way I see it, Dr. Rafferty hopes the partisanship will continue in education. . . . Then, in 1966, he will go before the voters and be able to say: "Ever since I've been in my office . . . I have tried to make reforms in education. . . . But I have found that under present law, even though the people elected me to put my ideas into practice, I am powerless against the Democratic Governor and his advisers to do anything. . . . I have decided not to run again for the State Superintendent's job. The only office that will give me the power to put my ideas into practice is the Governor's office."*

Although he disclaims any knowledge of or connection with the movement, Rafferty's supporters, using his name freely, have been candidates in numerous school-board elections throughout the state, with varying success. RinE put out a school-board candidates' questionnaire for use by its member chapters, which it now claims number 260. It's an interesting potential route to power.

"It'll be very hard to stop him if he wants to run for Governor," Jesse Unruh says, "and the man who becomes Governor of California can become anything. You know I'll do a lot of things for the Democratic Party, and you can criticize some of them, but I'm not just thinking about the Democratic Party now. I'm thinking about the country, and this guy terrifies me." Jesse Unruh is famous, even among his enemies, for telling the truth.

The power elite of conservative Republicanism in Southern California failed with Knowland and the right-to-work issue; they failed to keep Nixon in line; Kuchel has openly opposed them; they failed with the abortive gubernatorial candidacy of Joe Shell. In 1964, they may fail, as they well know, with Goldwater in California—but it will take a real battle to defeat their newest and shiniest creation, Max Rafferty.

*Rafferty said at the Santa Fe high school on July 25, 1962, that "Every nickel I've gotten has come from individual contributions from people like yourselves. I have received no money from any political or other groups." His primary-election statement, filed a month earlier, shows eight contributions from Republican clubs, two from Pro America groups, several from corporations.

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Libel and the Free Press . . . . . Norman Dorsen

The United States Supreme Court will soon decide a free-speech case in which, for once, the petitioner does not represent the isolated and marginal in American society. It is not the victim of a HUAC inquisition, a Smith Act conviction or a Southern purge of the NAACP. Nor is it a figure of the Right. The petitioner this time is *The New York Times*, that strong, respectable anchor of the Establishment. The *Times* now seeks for itself what its editorial columns have so often sought for others — the protection of the First Amendment to the Constitution. It is appealing from the Alabama Supreme Court a $500,000 judgment rendered against it for an alleged libel.

The libel action stemmed from a full-page advertisement the *Times* published on March 29, 1960, sponsored by the "Committee to Defend Martin Luther King and the Struggle for Freedom in the South." (Another libel action arising out of the advertisement has resulted in a similar jury verdict of $500,000, and yet a third case, involving a claim of $2 million is pending.)

The ad was generated by an indictment handed down early in 1960 by an Alabama grand jury against Dr. King for perjury in connection with the filing of Alabama income tax returns. (Incidentally, he was later acquitted.) The committee to support Dr. King, which included Mrs. Ralph Bunche, A. J. Muste, A. Philip Randolph, Norman Thomas and the late Eleanor Roosevelt, was hastily put together in the belief that the indictment was politically motivated and without foundation. The advertisement, titled "Heed Their Rising Voices," was essentially a political and fund-raising appeal. The text began:

> *As the whole world knows by now, thousands of Southern Negro students are engaged in widespread non-violent demonstrations in positive affirmation of the right to live in human dignity as guaranteed by the U.S. Constitution and the Bill of Rights. In their efforts to uphold these guarantees, they are being met by an unprecedented wave of terror by those who would deny and negate that document which the whole world looks upon as setting the pattern for modern freedom. . . .*

Without identifying or naming any particular individual, or fixing any particular time, the advertisement then referred to certain specific incidents of claimed repression in Montgomery, Ala., and Orangeburg, S.C. With regard to Montgomery, it said:

> *. . . after students sang, "My Country, 'Tis of Thee" on the Capitol steps, their Leaders were expelled from school, and truckloads of police armed with shotguns and tear gas ringed the Alabama State College campus. When the entire student body protested to state authorities by refusing to re-register, their dining hall was padlocked in an attempt to starve them into submission. . . .*

The advertisement asserted that Martin Luther King "symbolizes the new spirit now sweeping the South," and that his "doctrine of non-violence . . . has inspired and guided the students in their widening wave of sit-ins. . . ." It continued:

> *Again and again the Southern violators* [of the Constitution] *have answered Dr. King's peaceful protests with intimidation and violence. They have bombed his home almost killing his wife and child. They have assaulted his person. They have arrested him seven times — for "speeding," "loitering" and similar "offenses." And now they have charged him with "perjury" — a felony under which they could imprison him for ten years. Obviously, their real purpose is to remove him physically as the leader to whom the students — and millions of others — look for guidance and support, and thereby to intimidate all leaders who may rise in the South. . . .*

The conclusion was an appeal for funds.

A wave of anger engulfed Montgomery. John Patterson, then Governor of Alabama, and L. B. Sullivan, one of the three elected Commissioners of Montgomery and plaintiff in the libel suit, demanded a retraction. Although the *Times* believed that no statement in the advertisement referred to either Governor Patterson or Commissioner Sullivan, it published a retraction in the case of the Governor because of his "high office" and the possibility that there was "a reflection on the state of Alabama." The *Times* has conceded that there were certain inaccuracies in the advertisement.

A jury trial of the case resulted in a verdict for Commissioner Sullivan for $500,000 (all damages claimed), under the Alabama rule that a public official is entitled to recover "presumed" and "punitive" damages for a publication critical of a governmental agency under his supervision if a jury thinks that the publication "tends to injure him in his reputation" or "bring him into public contempt as an official." Under this rule, the complainant need not establish actual injury to his reputation.

The case, as presented to the Supreme Court, involves the broad constitutional question of whether the Alabama courts have "abridged" freedom of speech or of the press in rendering this judgment against the *Times*. Obviously, there has in fact been some interference with the practice of free expression: publishers are now considerably more concerned about the contents of both advertising and news copy. The *Times*, in particular, feels this pressure, not only because of the actions stemming from the controversial advertisement, but also because of seven libel suits—again in Alabama—arising from an article by correspondent Harrison Salisbury on racial conflict in that state. At present, the *Times* is not distributed in Alabama, presumably because it fears still more actions.

The threat to free expression is not limited to the cases involving the *Times*. Perhaps because there are fashions in law as elsewhere, there has been a rash of huge libel judgments. John Henry Faulk, a black-listed radio and television commentator, won a judgment for $3 million (later reduced to $550,000) against the publishers of *Red Channels*. General Edwin A. Walker has sued a host of newspapers and radio and television stations, for a total of about $20 million, charging that they disseminated false infor-

Norman Dorsen is a member of the faculty of the School of Law, New York University.

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mation about his activities during the riots at the University of Mississippi in 1962. Nor is this style in law suits confined to the political arena. Wally Butts, former football coach at the University of Georgia, recently won a libel judgment that included $3 million (later reduced to $460,000) in punitive damages from the *Saturday Evening Post* for an article it printed charging that he had revealed his team's plays to an opposing coach. Other actions are in the wings.

The New York Times thus represents not only its own interests in the Supreme Court. It is the standard-bearer for other defendants and potential defendants. What can the Supreme Court be expected to do?

A decade ago, in the case of *Beauharnais* v. *Illinois*, Justice Felix Frankfurter declared that "libelous utterances [are] not . . . within the area of constitutionally protected free speech." A sharply divided Court upheld Beauharnais' conviction under a "group libel" statute that prohibited the exposure of citizens of "any race, color, creed or religion to contempt, derision or obloquy." Although it was not essential to the decision, Justice Frankfurter's all-embracing formula has been repeated in later Supreme Court opinions. It rests on the postulate that freedom of speech is merely one of the competing interests in society, and that other important values—national security, the need to curb obscenity or, as here, the protection of personal reputations—may impose limits on free speech. Taken at face value, the opinion delivered by Justice Frankfurter plainly would offer little hope to the *Times*.

At the other end of the spectrum is the view of Justice Hugo Black. In a celebrated interview, he recently argued that the First Amendment "as written and adopted, intended that there should be no libel or defamation law in the United States . . . absolutely none." This approach is grounded in a philosophy that puts the highest premium on free expression. A major tenet of this philosophy is, in the words of Justice Louis Brandeis, that for "falsehoods and fallacies . . . the remedy to be applied is more speech." If Justice Black's view were to prevail, the Alabama judgments against the *Times* could not stand.

F. Masereel

It is not to be supposed, however, that either of these two attitudes will commend itself to a majority of the Court. The Supreme Court has a way of eschewing broad holdings, and the *Times* case will probably be decided on narrower grounds. There appear to be at least two ways in which the Court could reverse the state judgments and give limited constitutional protection to defamatory utterances without having to rule on Justice Black's absolutist position.

The first avenue has been opened by the lawyers for the *Times*. It is implicit in the premises of the First Amendment, they have argued, that "speech or publication which is critical of government or official action may not be repressed upon the ground that it diminishes the reputation of the officers whose conduct it deplores or of the government of which they are a part." In other words, criticism of an elected public official cannot constitutionally be punished, just as concern for the reputation of the bench does not support punishment for criticizing a judge — even with "half-truths" and "misinformation" — unless there is clear danger that justice will be obstructed.

History speaks clearly here. Even before the nation was formed, James Madison maintained that "it is manifestly impossible to punish the intent to bring those who administer the government into disrepute or contempt without striking at the right of freely discussing public characters and measures." Later, when the short-lived Sedition Act of 1798 declared it a crime to defame the government of the United States by bringing its leaders into "contempt or disrepute," Madison and other leaders opposed the Act, and over the years the Supreme Court has often said that the Act was inconsistent with the First Amendment.

One can conclude, therefore, that criticism of governmental conduct

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may not be prohibited to protect the reputation of the government or its officials. If this were not so, as the *Times* argues, the "daily dialogue of politics would become utterly impossible." This consequence would flow naturally from Alabama law. As pointed out above, certain libels (such as the present one) are by that state *presumed* to be "false and malicious," thus opening the way for unlimited damages both general and punitive — the former for a "presumed" injury to reputation and the latter "not alone to punish the wrongdoer, but as a deterrent to others similarly minded."

This leads directly to a second, and broader, ground for reversing the Alabama courts. The Supreme Court could rule that all *criminal* libels are forbidden by the First Amendment and that, because the jury awarded damages against the *Times* without proof of actual harm to the plaintiff's reputation, the judgment was punitive and therefore equivalent to a fine for criminal libel.

The *Times* has partly argued this position. It contends on appeal that "it is both legally correct and factually realistic to regard the entire verdict as a punitive award." But the *Times* skirts the question of whether all verdicts in civil actions designed to punish rather than to recompense the plaintiff are invalid. Instead it merely contends that the size of the verdict is so "shockingly excessive" that it violates the Constitution.

The first step to the broader approach is to justify a constitutional distinction between civil and criminal libels. This distinction would follow from a recognition that, while an individual's interest in his own reputation requires the availability of a compensatory action for his benefit, society has no comparable interest which would justify criminal penalties for defamation, especially in view of the threat implied to free speech. This distinction could draw upon historic English and American fears, culminating in the First Amendment, that the government would use criminal laws banning "seditious libel" as a means of throttling political opposition. A decision invalidating criminal libel on constitutional grounds would require the overruling of *Beauharnais* v. *Illinois*, but that case has already been weakened by more recent rulings.

The second step would be to relate punitive damages in civil suits to fines for criminal libel. The argument is along these lines: (1) the purpose of the punitive award is the same as the criminal sanction — to punish the defamer; (2) the effect is the same, in that astronomical damages will sharply deter dissemination of news; and (3) punitive damages in civil cases are even more severe than criminal libel because they are inflicted without affording a defendant the protections associated with a criminal trial — indictment by grand jury and proof of the case beyond reasonable doubt.

Of course, the Supreme Court may avoid both the above routes to decision. Other possibilities do not involve the First Amendment. For example, the Court could rule that the Alabama judgments deprived the *Times* of due process of law because the insignificance of that paper's business in Alabama (a total circulation of only 394) did not justify the local courts in assuming jurisdiction over it. If the Court rules according to some such side consideration, it will evade an issue of pressing importance. For the chief questions raised by the *New York Times* litigation involve the extent to which defamation laws impose limitations on free speech, and the self-censorship that would hamstring bold journalism if the present vogue of astronomical libel judgments were permitted to become a national custom.

THE CITIES DOWNSTREAM . . . . . David Cort

A drought is not fatal to a land in the natural way. So well-watered a terrain as Maryland began a nine-year drought in 1863, and survived it. But the drought years 1930-34-36 on the Great Plains produced the Dust Bowl and a permanent injury to the American property.

The 1963 drought did not become serious until the excellent crops had been harvested. After a dry summer, the September-October rains simply did not keep their appointment. Beef pasturage and milk production were in trouble; the prospect for winter wheat looked grim. Suddenly everybody was desperate; cities were asking their citizens not to drink water; and the losses figured by statisticians ran to "billions."

The best example of what was really happening was given by the wonderfully fertile peninsula of southwest Ontario, bounded by Lakes Huron and Erie which would seem to guarantee a perpetually high water table. However, like everybody else, Ontario farmers have been speeding up the run-off of water by deforesting, draining marshes, installing artificial water runways such as sewers, drains and concrete roads, fouling streams and overpumping the underground water. October was beautiful, beautifully dry. The birds didn't migrate; the swamps dried up; the smoke of forest fires drifted over the peninsula. By November, the wells had gone dry and the farmers were carting water. Overnight, it seemed, this lush land was terribly thirsty.

Not a very impressive story. But the trouble is that America has worked its way into a water bankruptcy where it cannot afford any sort of drought at all. This monstrous fact can be grasped as a simple equation.

The total of water a continent receives arrives in the first place as vaporized ocean water, blown in over the land and then condensed. This total is a generally uniform amount, and is not subject to control by governments. It is a relatively fixed annual endowment, and there isn't any more, and there isn't going to be any more. For the area of the forty-eight contiguous American states, the gift of water is about 1,200 cubic miles a year. Except

David Cort's latest book is Social Astonishments (*Macmillan*).

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for Asia and Australia, this is the worst deal any continent gets.

All right: 1,200 cubic miles a year. On the other side of the equation, America's water demands have exploded and are still exploding. United States demands have risen in this century from 40 billion to 320 billion gallons per day and may be headed for 600 billion gallons. When anybody moves from the country to the city, his personal demand goes up from five gallons to 100 or more gallons a day. A store's air conditioning uses 2 million gallons a day. The manufacture of a ton of steel demands 65,000 gallons, of viscose rayon 200,000 gallons, of bromine 5 million gallons. This last alone equals the daily personal water use of a city of 50,000.

The word is always "demand." Addressed to water, this word assumes a pitiable arrogance. Water has a thousand ways of evading a command.

Before completing our equation, it should be noted that water statistics are very watery, and may mean much or nothing. However, anybody can multiply average annual rainfall of 30 inches by the land surface of forty-eight states, and get the figure given above: 1,200 cubic miles of water. By converting cubic feet to gallons (one cubic foot equals 7.4 U.S. gallons) and multiplying by 320 billion gallons a day and 365 days in the year, we find that we use 110 cubic miles a year. (Or maybe twice that.) This does not include the run-off of the rivers, the evaporation, the plant transpiration of water, the breakup of H_2O by photosynthesis and the mass of water that falls where nobody can use it. That 110 cubic miles of water is just about all that is available to us. The rest maintains the United States as a living, functioning property.

Ridicule of current water statistics is not idle, for they are used as clubs by powerful agencies that want the water. A comic example is the figure for total daily U.S. rainfall of 4.3 billion gallons. (About 1 per cent of the water used daily.) Obviously I cannot prove that any of these figures is right or wrong (except that many of them contradict one another), and certain statistics with an aura of pure magic run right through the literature. The use of gallon statistics, apart from their lovely propensity to run into billions, does not help. Water is not whiskey. Another favorite unit is acre-feet of water, which is hard for the layman to handle. Water is not hay.

Let us take an acre and cover it with 100 inches of water (8.3 acre-feet) in the thirsty and greedy state of Arizona. Let it stand. Within the year every last drop of it will have evaporated; you will have your acre, but no feet. There goes every statistic involving standing acre-feet in the Southwest, and to a lesser extent elsewhere.

This demonstration should long since have dissipated some of the current passion for dams and reservoirs, centered for venal reasons in the Army Corps of Engineers. This remarkable outfit has projected in the Delaware Basin alone 193 major potential operations and 386 minor ones to occupy themselves up to the year 2010 A.D. Sixty-three dams are at present definite projects. By damming the Glen Canyon of the Colorado River, for no apparent useful purpose, they have just destroyed probably the most exquisite scenic asset of the entire country (see *The Place No One Knew*, by Eliot Porter: Sierra Club, San Francisco). By flooding river bottoms on the migratory bird flyways, they have made it nearly impossible for ducks, geese and whooping cranes to feed anywhere on the flight between Canada and the Gulf of Mexico.

The reservoir behind the Coolidge Dam, built in 1928, has silted up until it is now a tenth its original area: a shrunken satire on the principle of dams and reservoirs. One magic word for the Corps of Engineers is "flood-control." Once completely valid in the U.S., especially along the Mississippi, this incantation is nearly obsolete. The reminder of one hurricane-triggered flood in the Delaware Basin is worth several billion dollars to the Corps of Engineers. The other magic word is "irrigation." The absurdity of the irrigation projects is that America does not need more cultivated land; it has millions of acres of good, well-watered, unused land; and irrigation eventually salts and thus ruins the land. When irrigation is mentioned, the greasy hand of politics is always under the table.

In their water literature, the industrial trade papers and the women's magazines keep repeating that the American environment is now one "we create and control." Certainly we tamper with it, try to outwit it and louse it up; but we did not create it and do not control it. The natural world, the whole tremendous environment, has us in its grip and now and then tells us so with brutal implacability. Then we cry, and for a while the little autocrats are silent.

The crying from the cities is most interesting, for these get their water in four different ways. Underground water is used by Rome, Vienna, Berlin, Copenhagen and Amsterdam. Nearby lakes are tapped by Chicago, Toronto and Geneva. Artificial, and sometimes distant, reservoirs are the recourse of New York, Los Angeles, Boston, Bristol, Madrid and Athens. But the most natural water source is the river on which the city stands: thus St. Louis, Washington, London, Paris, Antwerp and Rotterdam.

All four systems have defects, but a succession of cities along a river are in the worst trouble. For the river is invariably both a well and a sewer, two functions difficult to reconcile. Each city indignantly and expensively filters out the sewage of its upstream neighbor, and then blandly flushes its raw sewage back into the river, for the benefit of the next downstream city. The whole river-flow is never cleaned (just the portions piped into each city), so that toward the end of the line the compounded sludge of all the cities comes rolling down together. Where the water still holds free oxygen, the aerobic (good) bacteria can cleanse the water; but when all the free oxygen has been consumed, the anaerobic (bad) bacteria take over and the ultimate in filth is achieved, accompanied by hydrogen sulphide, ammonia and methane gas. As to where this is the current state, no names need be mentioned: the cities know their own names.

The Incas used to build their bathtubs as a stairway, so that the bath water passed from the chief down the chain of command to the lowliest citizens in the bottom tub. Subordinate Incas were honored by the used bath water of their superiors. This is not true of downstream cities. Everyone's drinking

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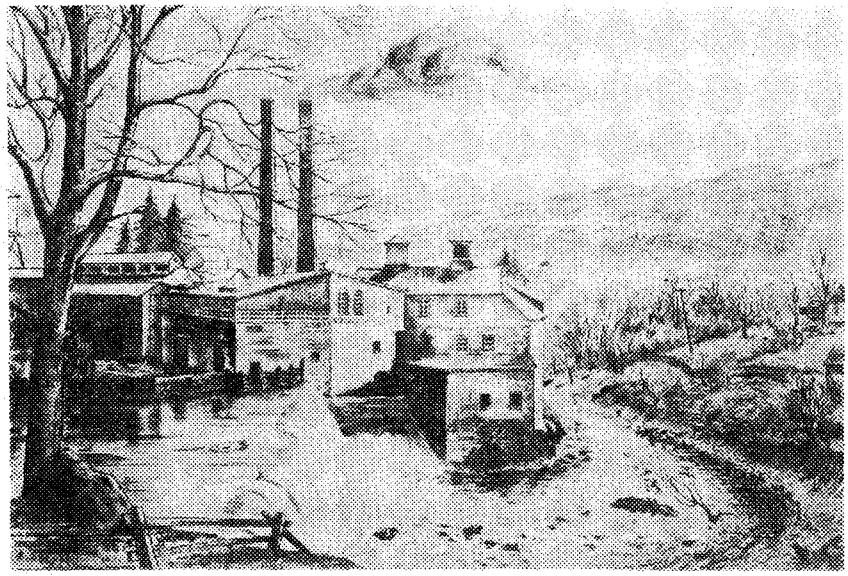

Salisbury Mill Paul Busch

and bathing water has a vivid reality; his sewage has no reality at all in his own mind. On the instant, it is forgotten — but not downstream. What has been described is one way "we create and control" our environment. But not downstream.

A fortunate event for the conservation of water was the election of the late President Kennedy. Whereas Eisenhower had vetoed a modest water-pollution bill in 1960, Kennedy pushed through a much more ambitious program early in 1961. This is currently authorized to spend $100 million a year to help communities build waste-treatment plants, with a maximum of $600,000 to a single city. About 3,000 communities need such facilities; 900 have obsolete plants, and 1,600 others call for renovation. The need for such a program was dramatized by the refusal of the citizens of St. Joseph, Mo. (upstream from Kansas City and Independence) to vote a bond issue for a sewage-treatment system. When the federal government brought suit, a local official said, "A lot of people here think the federal government has gone too far. They think, who is trying to force this down our throat? It strikes a pretty raw nerve."

This comes from a man whose excrement is being "forced down the throat" of Kansas City and Independence, Mo., but to point out this fact to him "strikes a pretty raw nerve," as well it might. Nobody likes to be identified as a loathsome abomination, when in fact that is what he is. The late President Kennedy's program asked the American people just in time to observe the Golden Rule, even in St. Joseph, Mo. But St. Joseph is mad at Omaha, upstream, and Omaha is mad at Sioux City, upstream. The hatred rolls upstream, as the sewage rolls downstream. But suddenly St. Joseph, Mo. doesn't want to be pushed around. When it flushes the toilet, that's that. It is indeed a sacred moment. But *not downstream.*

If you want to get the bad taste of this essay out of your mouth, ask *Reader's Digest* for its happy 1957 reprint (when things were terrible) of a Peter Farb article, "Let's Clean Up All Our Poisoned Rivers!" proving that everything was working out fine. To articles like this one cannot quite apply the word treason.

The late President's comprehensive water vision took in reforestation, shoreline park development, development of river basins and, finally, the speeding-up of a practical technique for de-salting ocean water.

De-salting is already a practical fact, and is only a cost problem (see "Solving the Water Shortage" by Carl Dreher, *The Nation*, Dec. 28). For cost comparisons, Imperial Valley farmers pay 6c for 1,000 gallons of irrigation water; Los Angeles residents pay 24c for 1,000 gallons, and the price may rise close to a dollar. U.S. nuclear submarines convert 1,000 gallons of salt water to fresh for $5; the sheikdom of Kuwait spends $3, and is installing a new electro-dialysis plant; Coalinga, Calif. does it for $1.45; the demonstration plant at Freeport, Tex. converts water at $1; and Japanese engineers claim to have a freezing process that costs about 40c per 1,000 gallons.

In many parts of the world, these latter costs are already practical. California has plans to spend $13 billion on water. Southern California is already taking water from the Colorado River basin and from Northern California, and has been brutally snubbed in an exploratory raid on the Columbia River basin, far to the north. The tremendous costs of transporting water immense distances could be avoided by de-salting Pacific Ocean water. President Kennedy's complementary plan was to give the de-salting techniques to desiccated nations all around the world, and so to improve the face of the earth, the lives of hundreds of millions — and the image of the United States.

However, his program ran into a paleolithic Congressman on the Interior Committee, Wayne Aspinall (D., Colo.)—remember that name. He has an unmatched record for savaging the American property; he loves sheep men and nobody else in the United States. Aspinall managed to cut President Kennedy's program in half, and to hobble the surviving half. The Senate succeeded in restoring part of the dismembered half. The Office of Saline Water got $75 million for a six-year program.

One final statistic will illuminate the matter of who uses water, and also that of water statistics. The more or less official figure for American industry's current use of water is 10,000 billion gallons a year. This works out to about 10 cubic miles a year, but the true figure may be any multiple of that. Of course we want the industry, and we want it to have the water. But as our supplies run short, the people have a right to ask industry to clean its own water, re-use it and return it to the people in good condition. And surely the Golden Rule can be rephrased as: Remember the cities downstream.

That thought seems to have been in the mind of the late President Kennedy.

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Trade Journals of Utopia

LITTLE MAGAZINES. By Reed Whittemore. University of Minnesota Pamphlets on American Writers. 1963. 47 pp. 65c.

William Wasserstrom

What a splendid idea it was for the University of Minnesota Press to include in its notable series of essays on American themes Reed Whittemore's study of little magazines. The Minnesota series treats complex matters in sturdy essays, neither light nor heavy, which mix incontrovertible fact with private judgment and thereby offer enlarged understanding of major writers and movements in American literature. Whittemore, who teaches English at Carleton College, is a founding editor of *Furioso* and of its successor, the *Carleton Miscellany* — a little magazine which pricks with parody the puffier and more swollen members within its own group. One of our most knowledgeable men of letters, acute in criticism, adroit in fiction and verse, he is splendidly equipped to write a pamphlet designed to introduce an extraordinarily diverse but unified field.

His pamphlet represents one modest event within a new and general surge of interest in this realm of literary history. Until recently there has been only one book, Hoffman, Allen and Ulrich's *The Little Magazine*, published almost twenty years ago, and miscellaneous articles on, or anthologies of, dead journals. Last autumn, however, the full file of F. R. Leavis' *Scrutiny* was reissued, along with some grumpy afterthoughts by the editor. There have been books on Albert Jay Nock's *Freeman*, on William Marion Reedy's *Mirror*, on the Watson-Thayer-Marianne Moore *Dial*. And the more we learn the better we realize that the little magazine movement in America is a very special affair.

From 1894 until 1912, the affair was scarcely a movement. Early impulse to experiment in the arts was first supported in *The Chapbook*, 1894, and Alfred Stieglitz's *Camera Work*, 1903. But not until Harriet Monroe's *Poetry* was established in 1912 did the movement begin to flourish. From then on new writers found one or another magazine eager to print experimental work of every imaginable kind. Pound and Eliot, Stevens and Marianne Moore, Cummings and Hart Crane, Joyce and Yeats received their first attention in Margaret Anderson's *Little Review*, Alfred Kreymborg's *Others* and *Glebe*, William Carlos Williams' *Contact*, Gorham Munson's *Secession*, or Harold Loeb's *Broom*. Alongside these reviews were numberless papers which appeared now and then, disappeared and reappeared, or, despite announcements and manifestoes, never made it beyond a first number or two.

Ever since 1920, undercurrents have suffused the main stream of our national thought, and today, as is persuasively claimed in the 1961 organizing "Statement" of The Association of Literary Magazines in America, "American Literature since 1910 would not have survived in its present variety and vigor without these magazines. Almost without exception, all the distinguished modern writers in America started their careers in them . . . as well as scores of younger writers now emerging into prominence." Furthermore, because "a nation's body of literature does not depend wholly on the great," and because the magazines "have served as a seedbed for each generation of creative writers," little magazines compose an "indispensable tradition" which preserves nothing less than "the very impulse to literary creation" itself.

A social movement is a crystallization of that tumultuous and moiling thing, culture itself. And no matter what ax we grind for whichever little magazine we favor, one overriding fact of history must be reckoned: little magazines began earlier, have lasted longer and remained more inventive than any other single enterprise of literature in our time. And the little magazine movement in itself is by far the most influential of all modern schemes for the dilation and distribution of human learning.

Mr. Whittemore's pamphlet is designed to chronicle the history of this movement and to gauge the nature and worth of its influence. Unfortunately, the history is of small value. Although it touches almost everything, mentions nearly all the proper names, it ends in a sort of maze — a postscript called "A Few Other Magazines." There you discover in no apparent order little chunks of discussions of various magazines, the last of which concerns *The Dial*: "probably the best American literary magazine of the century," he says. Because his heart is not in it, his performance of the historian's task is dutiful but inexpert. He prefers to adopt the mode of an amateur, of the man who cherishes his subject too much to trammel himself with technic and detail.

Further, I am puzzled to understand why Whittemore, the historian, mentions the *Liberator* but not the *Masses*; *Politics*, but not *The Modern Quarterly*; the *Harkness Hoot*, but not *Symposium* and *Accent* in his Selected Bibliography of "Forty Prominent Little Magazines Started before 1950." No less troublesome is his decision to include, on his list of Selected Readings, the back files of leading journals, a quirky group of background books, his own "Brief History of a Little Magazine, and Other Matters," but not William Troy's comprehensive, two-part "Story of the Little Magazines" or Delmore Schwartz's essay on the *Criterion* or Lionel Trilling's essay on the *Partisan Review*. Precisely because there have been so few major articles, those that do exist — connecting the sixties with the thirties and forties — are the more precious.

Once they are registered, however, these objections can be put aside. For his chronicle may be capricious, but his criticism is almost beyond reproach. As a disciplined study of the ideas which led certain key persons to fashion some quintessential literary magazines during the last half-century, the essay is a marvelous feat by an original and judicious mind. All our journals of high art and deep thought, he says, are marked by two presiding motives, seriousness and responsibility. These are the "purr words" of the little mag word book. But meaning is fuzzy: popular magazines are serious about being vulgar and commercial magazines are responsible about making money. In order to sharpen mean-

William Wasserstrom is the author of The Time of the Dial *and editor of* A DIAL Miscellany *(both Syracuse University Press).*

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ing, to make those words abrasive, Whittemore isolates three radical patterns of purpose in three separate kinds of little review — in *Poetry*, in a quartet of Southern papers (the *Fugitive*, the *Southern Review*, the *Kenyon Review*, *Sewanee Review*) and in the *Partisan Review*. Each of these is treated as a symbol of a particular way of conducting literary affairs. None is ascribed absolute dominion over its special sphere.

Poetry, inspired by Ezra Pound's crusade to save civilization by saving art, Whittemore conceives to be the one journal that has held to its original aim: it identifies art and civilization, rejects the distinctions between human imagination and human society, and promotes the one as the chief instrument for the salvation of the other. To this most serious design, its editors have brought a responsible standard: a poem must be well made and it must seem to have permanent value. *Poetry*, indeed, preserves the tradition once caricatured by Ernest Boyd, "Aesthete: Model 1924," a piece which caused a famous fuss. The model aesthete is "Editor-in-Chief, Editor, Managing Editor, Associate Editor, Contributing Editor, Assistant Editor, Bibliographical Editor or Source Material Editor of one of the little reviews making no compromise with the public (or any other) taste." Forty years later, *Poetry* remains, in Whittemore's view, the "trade journal" of uncompromising aestheticism: "the trade is a worthy one and so is the journal," but neither trade nor journal has brought about either revolution or revelation. The magazine is in the school libraries but its idea is not an intellectual force in the classrooms. *Partisan Review*, however, continues to be a force, even though its idea is now murky and its former authority is dispelled. In its prime, this non-aesthetic and anti-Stalinist magazine of social purpose led a vanguard of intellectuals who were determined to establish a union of ideology and art. Rejecting the regime of art ("Model 1924"), hoping to conduct a spiritual and social revolution, *Partisan* incarnated that kind of little mag seriousness which served as a standard for responsible moral, social and intellectual life from the late thirties until the early fifties.

Overlapping both *Poetry* and *Partisan* and more influential than either, are those Southern reviews whose rationale Whittemore calls a "political program removed from politics, a political program, that is, for language or the Word." Like *Poetry*, the Southern reviews were committed to an abstract and solemn notion of transcendence in art. Unlike *Poetry*, the Southern reviews attempted, through careful analysis of the language of art, to account for its splendors. Like *Partisan*, the Southern journals discerned a profound interplay between language and culture; unlike *Partisan*, these reviews — despite an initial fascination with agrarianism and totalitarianism — ended by recoiling against all programmatic views of politics or history. Programs for salvation in art or redemption in history merely distracted men of literary mind from the exercise of their own deepest resources, from their study of the mind's best manifestation: language.

Whittemore contends that these three main patterns of imagination were brought to climax in 1949 when the Bollingen prize was awarded to Pound. Offering at this point his own most original idea, he says that this was the occasion when all issues coalesced. The principle of objective literary value was cited by language men to support their decision to honor poems (*The Pisan Cantos*) written by the man who embodies all the varieties of literary life promoted in the little magazine movement at large. Whatever the embarrassment of his politics, Pound is the critic who inspired the New Criticism and Pound is the writer who invented the poetry of ideology and apocalypse. To confer this award on Pound for *The Pisan Cantos*, therefore, was to adopt an extraordinary and unbelievable position: with this work, art and Utopia are at last one. And by no serious and responsible standard — linguistic or textual, ideological or historical — could any sane judge support this claim. "Perhaps we have reached the end of civilization-saving in literature and therefore, incidentally, of the age of little magazines, an age which some future historian may say began with the founding of *Poetry* in 1912, and ended with the Bollingen Award in 1949."

Although I admire Whittemore's argument, I dissent from his conclusion. What ended in 1949 was not the age of little magazines but the age of Pound. These magazines flourish today in almost boundless number. Indeed, little magazines today are big business. The Association of Literary

A piece of the action from Newsweek:

"Kicking the Coppers"

"Unlike most people, the British have traditionally admired their policemen. The British bobby, social historian John D. Scott once wrote, is regarded as 'a decent person ... who is in authority but never loses his temper—he is the English ideal.' That was eight years ago. Today, the fashionable gag going the rounds in London from roughneck Notting Hill Gate to uppercrust Mayfair is: 'Don't forget! Kick a copper for Christmas.'"

From a recent Newsweek story.
A glimpse of how we read these days.
Have you read Newsweek lately?

Newsweek

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Magazines of America now wants proper recognition, insists that it represents one of the chief resources of modern society (like "art museums, symphony orchestras, little theatre groups and liberal arts colleges"), and plans to go for the big money. Whether the association grows rich or remains poor, the little mag movement will continue to expand. Sooner or later it will stop representing the Pound generation, and we shall stop expecting it to deliver us from vexation and delinquency. But it will remain "incurably Utopian" in its effort to enlarge the American community of serious and responsible persons. The chief business now of the movement is to furnish members of this community with new ways to address and know one another in our unorganized country where most persons prefer old and trivial ways or are customarily frivolous and irresponsible.

Consuming the Land

ANIMAL WORLDS. By Marston Bates. Random House. 316 pp. $15.

THE QUIET CRISIS. By Stewart L. Udall. Holt, Rinehart and Winston. 209 pp. $5.

Norman Thomas di Giovanni

"Books of natural history," remarked Thoreau, "make the most cheerful winter reading." But that was many winters ago, before such books were created in the offices of federal government politicians or hatched in Madison Avenue editorial rooms. To be cheerful nowadays a natural history book has to come into the world, if not as a purely uncommercial venture, at least without its commercial origins showing too plainly. In very different ways, the two books under consideration are productions primarily for commerce.

Marston Bates has written about animal environments and animal adaptations to environment. This is the ecological approach to the study of organisms — treatment in a total context rather than in more or less isolation. Basically it comes down to cycles of who is eating what or whom in any particular landscape, some fourteen or fifteen of which are described in the chapters of *Animal Worlds*. As a writer, Bates is lucid and he is nontechnical without approaching the simple-mindedness of certain of his colleagues, science teachers who turn out popular studies in the various branches of biology. As a scientist, he has had the world-wide experience (in such places as the West Indies, Central and South America, Albania, Egypt and Micronesia) needed for the lively discussion of his vast subject.

Norman Thomas di Giovanni has contributed several articles, as well as translations of Italian poetry, to The Nation.

But given even Marston Bates's qualifications and abilities, is it possible to handle so broad a subject at any useful depth in a volume of a little more than 300 pages, a good third of which are covered with photographs? Whisked from the depths of the oceans to the tops of mountains and through every major habitat from the equator to the poles, including deserts, grasslands, tropical forests, temperate forests, northern forests, and so on, our impressions become too general, our concepts remain too vague. I have learned more about the nature of animal adaptation, for example, in a single magazine article dealing with the competition between sheep and hill kangaroos on the poor grasslands of northwest Australia—exactly because the article kept to a specific focus. And some of the best pages in *Animal Worlds* are those that tend toward a narrowed focus by illustrating points with more than a sentence or two: a few paragraphs on the herring gull, a section on the Galapagos Islands. Each of the environments treated by Bates in his brief chapters deserves more extended coverage; many of them need book-length introductions.

Obviously, however, when the publishers thought up this book they were not trying to nourish any reader. Having pages that measure about 8 x 11, and containing "245 illustrations, including 100 in color," and being grossly overpriced, *Animal Worlds* was a gift book invention. Surely it was not meant for reading from front cover to back; and so, one review which praised it also announced its proper place: on the coffee table. As for photographs (and this is the case with collections of photographs, generally), they are valuable — useful — when they document, and are mere ornamentation when they do not. In this book they do not. Finally, the text is marred by typographical errors.

Stewart Udall's small book, *The Quiet Crisis*, is intended for commerce of a higher order. The Secretary of the Interior is out to promote the New Frontier's conservation program and tomorrow's land ethic. The book has two purposes: one is to survey the history of land policy in the United States from the days of the Indians and earliest white settlers to the present; the other is to "develop fresh insight concerning the men and forces that have shaped our land attitudes and determined the pattern of land. . . ."

In his first purpose, as a historian, Udall has succeeded admirably. He has sketched for us, always right to the point and in very good prose, the main lines of sound thought and the too often unsound development in husbandry and in land and wild-life conservation. The story begins with the birth of the Republic and the theories and reforms of Thomas Jefferson, who made what Udall considers "our first great land decision," the creation of public domain in the unoccupied stretches of the Northwest Territory. Before this, during colonial days, the continent was virtually virgin. As for the Indians, their relation to the land was largely one of natural harmony; of this, in an inspired opening chapter called "The Land Wisdom of the Indians," Udall writes:

> *To the Indian mind . . . land belonged collectively to the people who used it. The notion of private ownership of land, of land as a commodity to be bought and sold, was still alien to their thinking, and tribe after tribe resisted the idea to the death.*

But it was also in Jefferson's day that an idea took hold which made wise management of the land seem superfluous. This belief — that natural resources were inexhaustible — is aptly termed by Udall the Myth of Superabundance. This myth "induced a state of mind that made waste and plunder inevitable," and led to the great depredations on natural wealth throughout the whole of the nineteenth century. In the cycles of these "Big Raids," the abundant beaver was nearly extirpated; millions and millions of forest acres were devastated by the lumber companies in their cut-and-run operations, with up to 25 million acres a year burned off by loggers' careless fires. In the far West,

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hydraulic mining was invented, and "For every ounce of gold collected, tons of topsoil and gravel were washed into the river courses below." Then there were the great strikes in the oil fields and, due both to greed and ignorance of geological principles, the accompanying waste of petroleum and natural gas from gushing wells; elsewhere the grasslands were overgrazed and the plains overfarmed; in the North Pacific, seal herds were ravaged almost to extinction, as were the buffaloes on the Great Plains.

The record is long and depressing. Voices of consicence stirred in the early decades of the nineteenth century, and with the closing of the Civil War, a few men of action — facing incredible odds — began to rally against the profiteers and the obliging give-away politicians. Most of Udall's chapters dwell on a central figure or occasionally on two or three who best typify the land-consciousness of their day. After Jefferson there are Daniel Boone, Thoreau and Emerson, the Bartrams, Audubon and Francis Parkman. Later come men with less familiar names: George Perkins Marsh, a scholar and ecologist whose work in the scientific management of resources led to his being called the "fountainhead of the conservation movement"; Carl Schurz and John Wesley Powell, who crusaded for reforms in forestry practices and the undertaking of large-scale irrigation projects; Gifford Pinchot, another forester and conservation counselor to Theodore Roosevelt; John Muir, who battled for extension of the national park system; both Roosevelts; Frederick Law Olmsted, a pioneer for public playgrounds, city parks and urban design. This story of our relationship to the land is perhaps the most consistently neglected aspect of American history. Stewart Udall has performed a service in outlining it.

But at the same time Udall has flatly failed in the achievement of his second undertaking. Far from leading us to fresh insights into the men and forces behind the record of history, he leads us from them with too many of his own (and our country's) contradictory, ambivalent attitudes toward basic problems. At root here is economics. Conservation requires planning; planning leads to socialism; socialism is not the American way. Thus Udall is — and as a high-ranking politician has to be — inconsistent. Take the question of land ownership: as a conservationist he praises the communal system of the Indians and the Spanish missionaries of the Southwest; but as a politician he praises the system of individual ownership as practiced by white settlers in colonial times and inherited by the rest of us. This system, he says, "fostered a fierce independence of spirit" that "was the undoing of the British rulers." He does not say that this spirit of independence also grew into the spirit of free enterprise, which consistently fought holdings of public lands and has always resisted the best schemes of the conservation cause.

Udall abhors the fact that Robert Frost's old farm in New Hampshire is an automobile graveyard, but he dares not point a finger at the powers in control of zoning ordinances. Similarly, he speaks of the pollution of the air and water by chemicals, but cannot manage a word against the profits of the chemical companies. On one page he talks about the desecration of the American landscape by "industries that produce an incredible array of boxes, bottles, cans, gadgets, gewgaws and a thousand varieties of paper products," and on the next speaks of "the collaboration of science and industry and government, quickened by the spur of business competition" in behalf of conservation.

Udall's trouble and the trouble with politics is that each must fall from passion into compromise, from what is ethical to what is possible. Thoreau knew about this inevitability, and as Udall unhappily notes, Thoreau had "contempt for politics and public men." What then do tomorrow's land ethic and the future of conservation come down to? To a plea for altruism addressed to a pack of wolves.

Trouble With the Bard

Christopher Sykes

That 1964 is the fourth centenary of Shakespeare's birth is a fact of some alarm and hope. The centenary habit is dangerous: *not* to push the celebration to all possible lengths is to be suspected of disloyalty; duly to push it is to risk turning the great subject into the greatest of bores. For several years after 1950 many people found it an unaccustomed effort to read the poems of Wordsworth, and what interest there was in Goethe in the English-speaking world dropped noticeably after 1949. Exceptions are to be found among those great masterspirits who cannot be hackneyed. There was no detectable Mozart-fatigue after 1956. If any one knew the date of Homer's birth *he* would probably be safe. Others abide our question, to remember Arnold's priggish but masterly line; Shakespeare is probably free enough to survive 1964 unscathed.

The first move in the quatercentenary celebration in England was the appearance of two biographies in the same week in the early fall of 1963. They were by Dr. A. L. Rowse of All Souls College, Oxford, and Mr. Peter Quennell, the well-known biographer and critic.[1] The appearance of the two books in the same week was not part of a conspiracy — on the contrary it was a most regretted coincidence which resulted in the sale of each book's being to some extent limited by the other. Mr. Quennell's book seems to have suffered more, not because it was manifestly the inferior of the two, indeed many critics held it up as the better, but because it was not controversial. Dr. Rowse's work, on the other hand, was one of the most controversial on its subject to appear since Middleton Murry's interesting but highly cranky and questionable book was published in 1936.

Dr. Rowse stirred up feeling against himself by claiming to be the first historian to treat of William Shakespeare. The claim is true only in a very limited sense. All first-class Shakespeare scholars have been obliged to go from literary study of the poet to a study of his times. Otherwise they would not be first class. Dr. Rowse can claim to be unique in having made the journey the other way round, but to suggest, as he does throughout, that he is the only man to have closely studied both the man and his background is manifestly ridiculous. The result has been a

Christopher Sykes, a producer in the features department of the B.B.C., is the author of Four Studies in Loyalty (*Sloane*), The Answer to Question 33 (*Sloane*), Two Studies in Virtue (*Knopf*), Orde Wingate (*World*).

[1] *William Shakespeare.* By A. L. Rowse. Harper & Row. $6.95.
Shakespeare: A Biography. By Peter Quennell. World. $6.95.

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Official Poster of Green

(From the Spanish of Jorge Carrera Andrade)

Seagreen, admiral of the greens.
Earth-green, comrade of the workers,
countless pledge to everyone's happiness.
Infinite sky of cattle grazing fresh eternities.

Subaqueous light of a tiny thicket
where plants, insects and birds live harassing each other
in the silent love of a green god.
Green scent of the fleshy century plant
brewing in its vegetable pot
deep-rooted potions
of shadow and rain.

Tropical plain where the pine's tattooed head
sweats in its green feathered tuft.
Green hunch-backed shrubs,
poor relatives of the hills.

Green music of insects forever sewing
the sackcloth of couch grass;
the long-shanked living in violins,
and the beat of the frog's green opaque drum.

The angry green of the cactus
and the patient trees gathering
miraculous bird-hauls in their green nets.

All the world's appeasing green
drowning in the sea, crossing mountains to reach the sky,
running through the river — ancient and naked —
and in the bitter moaning of the wind.

I fulfill the land's secret will
eternally locked in your sealed prison
where innocent birds, a panther
and esoteric hairy creatures live
preparing with the island's wild herbs
sweat and thorns
of my rooted daily death.

D. M. Pettinella

A Philosopher

Though they took the trees away
and locked him in his room,
nothing could break that green allegiance!
When I went to see him
he was sitting very quiet, looking
at his painting. It was called "The Wood."
But even one tree had given him shade enough
to hide the naked walls and wind enough
to blow the ceiling off!

"They're with me all the time," he said,
"Just thinking on the one
has brought the whole grove in."

Eric Barker

The Fear of Darkness

The tall marigolds darken.
The baby cries
for better reason than it knows.
The young wife walks
and walks among the shadows
meshed in the rooms.
And he sits in the doorway,
looking toward the woods,
long after the stars come out.
He feels the slow
sky turn toward him, and wait.
His birthright
is a third-hand Chevrolet,
bought for too much. "I
floorboard the son of a bitch,
and let her go."

Wendell Berry

All That Time

I saw two trees embracing.
One leaned on the other
as if to throw her down.
But she was the upright one.
Since their twin youth, maybe she
had been pulling him toward her
all that time,

and finally almost uprooted him.
He was the thin, dry, insecure one,
the most wind-warped, you could see.
And where their tops tangled
it looked like he was crying
on her shoulder.
On the other hand, maybe he

had been trying to weaken her,
break her, or at least
make her bend
over backwards for him
just a little bit.
And all that time
she was standing up to him

the best she could.
She was the most stubborn,
the straightest one, that's a fact.
But he had been willing
to change himself —
even if it was for the worse —,
all that time.

At the top they looked like one
tree, where they were embracing.
It was plain they'd be
always together.
Too late now to part.
When the wind blew, you could hear
them rubbing on each other.

May Swenson

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great deal of unnecessary hostility which caused many critics to be most unjust to an admirable historian.

It was evident that trouble was ahead when a preview of the sonnet chapter and one other appeared in the *Times*. Dr. Rowse put forward the theory that most of those sonnets that were addressed to a handsome young man were lovingly intended for Lord Southampton. He went on to propose that the tormentingly enigmatic Mr. W. H. was Sir William Harvey, the third husband of Southampton's mother, and that *A Midsummer Night's Dream* was written for this lady's second marriage to Sir Thomas Heneage in 1594.

There was much in these *Times* articles (they appeared with little alteration in the book) to bother scholars. The general reader found three principal matters to disquiet him. To identify Mr. W. H. with Harvey one must assume that Thomas Thorpe, the first publisher of the sonnets, obtained the poems (through Harvey) from Lady Southampton's papers when she died in 1607. It seems, considering their contents, an odd place for them to have been in Southampton's lifetime. Not impossible, of course, but one would like more documentary evidence than the initials W. H.; and evidence is in very short supply. The whole proposition is speculation.[2]

Then again, Dr. Rowse claims to have solved the riddle of the magnificent lines:

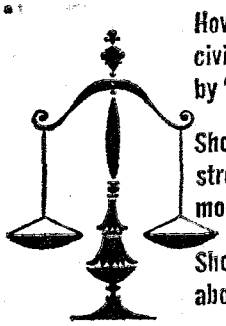
The mortal moon hath her eclipse endured
And the sad augurs mock their own presage,
Incertainties now crown themselves anew
And peace proclaims olives of endless age.

If this refers to 1603, to the death of Elizabeth (no friend of Shakespeare), and the accession of James I (to be his good patron), and the liberation by James of Southampton from prison to which he had been condemned for joining the Essex conspiracy, it makes easy sense. But Dr. Rowse is the prisoner of his theory that the sonnets were written in the 1590s. Therefore 1603 is out. Instead he argues that the passage refers partly to the Lopez conspiracy against the Queen, and partly to the victory in the same year (1594) of Henry of Navarre. Southampton was a Catholic; Shakespeare may have been attracted to Catholicism. Even so, it is difficult to see why Henry's conversion and the consequent loss to England of her Protestant French ally should have so rejoiced this patriot-poet. Not impossible, of course, but we want more evidence, as we want it again in the third subject of distress: the uncompromising identification of "the rival poet" with Christopher Marlowe. Here only internal evidence can be called, and though it is ingenious, it is tortured to meet Dr. Rowse's case, and is only just enough for a theory. But we are told it is a completely established fact: we are ordered to shut up because the historian has spoken. No wonder people got angry.

The progress of the criticism in England was an interesting study: it was the great sporting event of the autumn. The first shots were fired on October 4 by J. I. M. Stewart from the *Daily Telegraph* and William Empson from the *New Statesman*. Both showed what was to be a prevailing mood: puzzlement at such a violent display of confidence, and admiration for the undoubtedly excellent description of Elizabethan and Jacobean England.

When a very eminent book comes out there usually occurs an informed criticism which sets the pace and provides a model. Subsequent critics either write it out again in their own words, or more honorably argue around it. This pace-making criticism came out on October 10 in the B.B.C.'s weekly magazine, *The Listener*. It was by Christopher Ricks, and it was short, hostile, deadly. It emphasized what Dr. Rowse had not made plain to the general reader: that many of his discoveries were in fact theories of long standing, notably the identification of Mr. W. H. with Harvey, which dates from 1867. Five days later Malcolm Muggeridge took up the Ricks argument in cruder and more popular form. He came out in the *Evening Standard* with a display of unrestrained abuse in which he thoughtlessly fell into one of Dr. Rowse's worst errors: treating Shakespeare as if he and the great bard were close friends

[2]In the wake of Dr. Rowse's publication, J. Dover Wilson brought out *An Introduction to Shakespeare's Sonnets* (Cambridge University Press, $2.75). This small book, rather pointedly subtitled "For Historians and Others," was originally intended as the introduction to Dr. Wilson's edition of the sonnets, not due until 1965. For the roles of "the favorite," "the rival poet" and Mr. W. H., it offers an entirely different cast of actors.



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(unlike you and me) on mutual back-slapping terms. He called his article "Sir Oracle Speaks." It was a deplorable performance. Dr. Rowse had his defenders, notably Robert Speaight in the Roman Catholic *Tablet*, but few critics could quite forgive the historian's arrogant and bullying tone. This caused them to be unjust. None of them had anything to say about what seems to me Dr. Rowse's master stroke: his ingenious and very moving interpretation of that most mysterious and marvelous of Shakespeare's poems, "The Phoenix and the Turtle."

There was a long, long wait (until December 26) for what "The Thunderer" would say: the Literary Supplement of the *Times*. The reviewer had been delayed by illness. When he did emerge, he was most disappointing. He wrote a long article of some 3,500 words in furious hostility, but not to be compared in quality with the short, cruel piece by Christopher Ricks. It was muddled thunder. His point of view, except that it was hostile and that he adopted the silly superior tone of the anonymous reviewer, was never made clear, and he wrote with sly, round-about affectation. Unless the present writer has a very unclean mind, he seems to have descended at one point to a degree of bawdiness that even the bard might have blenched at. We had waited patiently and so very long that we felt we deserved something better.

Dr. Rowse has written a fascinating book. After reading it, the lover of Shakespeare can approach nearer to the prince of poets. The style is very colloquial, but that is a merit when writing about a man with whom no one can faintly compete in splendor, elegance or mastery of language. If only Dr. Rowse had maintained good temper; if only he hadn't ordered us about so unnecessarily, and sometimes so offensively, we should have all followed him like lambs.

MUSIC

Benjamin Boretz

The news of Paul Hindemith's death last month brought vividly back to mind the inescapable importance that his ideas and influence once exerted in the musical world. Only a few years ago, his career seemed a focal reflection of the most critical issues of twentieth-century composition, and the approaches presented in his music and writings were seriously discussed as the basis of a new International Style, a common practice that would re-establish the wide intelligibility and social function of the composer's work and release him from the frustration of endless, lonely experimentation.

Hindemith's impact on American musical life was perhaps most remarkable of all. His enormous prestige when he first came here was strikingly indicated by the fact that he was the only composer of the group of illustrious European immigrants (which included Bartók, Krenek, Schoenberg and Stravinsky) who was ever appointed to a major American university, and the only one whose works were played by all our major orchestras and ensembles almost from the moment he arrived. Naturally, such a formidable penetration of the American musical establishment deeply impressed the younger composers, who soon regarded a period of study with Hindemith at Yale as an obligatory credential of conspicuous professional promise. The steady flow of students and disciples continued until Hindemith's return to Europe in 1953, and there is probably no American composer above the age of thirty who has not encountered, in some crucial way, the force of Hindemith's teachings and attitudes.

Thus it is astonishing to realize how remote that force has become from the central concerns of our musical activity, how completely Hindemith's influence vanished during the last years of his life. The death of Schoenberg, in contrast, seemed a historic cataclysm, and after thirteen additional years we have only begun to comprehend the full implication of his accomplishment and to realize the extent of its potential for further development. And although every serious American musician today regards acquaintance with a new Stravinsky score as an essential part of his professional equipment, it might be difficult to find one who could even name a major Hindemith work of the past ten years.

Unquestionably, the whims of fashion and the emergence of more facile and dependable paths to musical notoriety are, as Hindemith himself believed, largely responsible for his eclipse. But there is something more fundamental involved, a fatal flaw in the essential premises on which the presumption of his mastery and authority rested, as well as in the convictions out of which his own compositional methods were formulated. At first, Hindemith's qualifications as a significant and effective musical thinker and creator seem manifestly impressive: he had a phenomenal musician's ear, whose perceptive and memorative capacities were legendary; a prodigious facility in every practical aspect of music (his first important public activity was in performance, as a virtuoso violist and member of the Amar-Hindemith Quartet); and a wide acquaintance with the historical and theoretical literature of music, ranging from Greek and Medieval philosophy to nineteenth-century acoustical science. Furthermore, the audacious "modernity" of his first compositions, and the progressive seriousness and "importance" in the style and subject matter of the later works (proceeding from the sensational *Murder, Hope of Women* (1921) to the settlement-house socialism of *We Build a City* (1930), the ethical and moral concerns of *Mathis der Maler* (1938), and the metaphysical profundities of *Die Harmonie der Welt* (1957), as well as the apparent ease with which he could handle the most complex polyphonic textures and constructive devices while turning out finished works in incredible profusion, all contributed to his establishment as a profound creative mind and a consummate master of technical resource.

But the assumption that such qualities are not only necessary but sufficient guarantees of superior compositional capacity is an old and troublesome fallacy. Its potential for misdirection is particularly great in a period like ours, when well-established criteria based on consistent musical practices are unavailable, and everyone has been thrown onto the discriminative resources of his own perception. Hindemith seems, in retrospect, to have been a victim of this misconception, to which, indeed, his extraordinary abilities made him especially susceptible. For he was evidently unaware of the fundamental distinction between the "musician's ear," which has the capacity to perceive and reconstruct musical facts, and the "composer's ear," which is able to formulate a musical conception and then project mentally those concrete details, materials and successions that can uniquely express it.

Even a composer's "hearing" of other music, or bodies of music, depends on this distinction. Much of Stravinsky, for example, seems to derive from his having heard, within the sound-context of traditional music,

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unique musical phraseology, which then emerges in his own works through a keenly selective manipulation of crucial elements of the traditional framework. Schoenberg, on the other hand, seems to have heard in Classical structures the possibility of mobilizing their powerful coherence through a new perceptual context. The result is both a "new sound" in Stravinsky and a new kind of structural continuity in Schoenberg, for our perception of musical qualities is ultimately determined by the interaction of the presentational framework with its constituent elements. By the same token, composition is essentially a process of choice, of selection of best alternatives from available resources. Here, the musical image functions like a Geiger counter that directs the composer by its special sensitivity to precisely those elements and relationships most relevant to its realization.

Hindemith's hearing, however, seems to have remained fixed at the purely reproductive stage, and thus depended for its local as well as long-range conceptions on the literal procedure and manner of existing music. The "modernity" of his earliest period was mainly achieved by systematic "violations" of conventional contexts, and even the neotraditional music of his later years is like a skeletal tracery of the elements of some individual or composite model, whose form and style are generalized into fluoroscopic abstraction. In both instances, the principal effect on the listener is a sense of almost-familiarity, either blatantly or elusively out of focus. Despite the abundance of ideas of widely differing appearances and levels of interest in Hindemith's prodigious output, the result seems always the same, and projects a kind of undifferentiated non-sound that has its own quality, but undergoes no perceptible variation from work to work.

In such music, the choices of specific events and successions can be governed, if at all, only by precept. Lacking a developed empirical hearing to guide his selections, Hindemith was forced to postulate objective "laws of hearing." And since the success or failure of any individual work could not be determined by testing its actual effect against a preconceived image, he had to devise objective conditions whose presence could be considered prerequisites for artistic quality.

These needs determined the nature of the system that Hindemith followed and proposed as a new common practice. For him, it represented a self-justifying assertion of the superiority of the Medieval *habitus* of artisanry, in which strict and assiduous devotion to the practice of craft, and dedication to the highest ethical ideals, infused moral and aesthetic value into the fruits of one's labor. And paradoxically, his very dependence on the external authorities of "science" and "nature" seemed to him to provide a guarantee of universal validity, in contrast to the "arbitrariness" of Schoenberg's twelve-tone method. But Schoenberg's system was actually based on flexible hypotheses of what one could learn to hear, and depended on direct perceptual testing in its employment, so that its limits were constantly being extended and modified in as many individual directions as there were imaginative composers to explore them. Hindemith's rules, on the other hand, being presumably rooted in a certain knowledge of the totality of what could be heard, acted as arbitrary moral referees of "right" or "wrong." Hindemith himself was so enthralled by this mystical doctrinalism that he even recomposed some of his earlier works to conform with the new system. And whereas Schoenberg's system liberated him to produce a wealth of increasingly original works, Hindemith's creative life was permanently stunted by his intransigent adherence to a rigid method that perpetuated his severest limitations and reduced him, in effect, to an imitator of the weakest aspects of his own pre-existing music.

The ultimate decline in the influence of such a method was clearly unavoidable, given its progressively unrealistic abstraction from direct musical experience. Only the most docile worshipers could have remained content with a discipline that confined them to the endless imitation of imitation Hindemith, while their colleagues in camps of lesser moral virtue were making exciting discoveries of new resources and exploring new perceptual domains. Eventually, even the public's hearing caught and passed Hindemith's own, and recordings and public performances of his music also became increasingly rare. Today, the remnants of his influence are mainly to be found among the conservative academicians of European conservatories and the music-education mills of the American Midwest, whose adoption of a musical idea is usually a definitive sign of its final exhaustion.

Still, no matter how self-induced

A piece of the action from Newsweek:

"Dream boats"

"He had spent 64 years in jail, longer probably than any man alive....Honeck was speaking in the austere 5- by 11-foot cell he had occupied for eleven years. From there he could look across a corridor and through a dirt-stained window. He could see a segment of highway, a stretch of railroad track, a tall stand of trees, and the Mississippi River gleaming broadly beyond. Through that window, he saw the steam locomotive give way to the diesel, and the Model-T to the shining dream boats of today."

From a recent Newsweek story.
A glimpse of how we read these days.
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Newsweek

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Hindemith's failure may have been, his effort must be respected as one of the serious attempts to discover a coherent syntax for the new musical materials of our time. I find it somewhat depressing that this has been so quickly and easily forgotten by most of the musical world, and that Hindemith's death has evoked scarcely more retrospection or response in most of us than a few sighs of uncertain nostalgia and uneasy regret.

Representative Hindemith Recordings

Concert Music for Strings and Brass (1931). (With: Symphony, *Mathis der Maler*, 1934.) Philadelphia Orchestra, Eugene Ormandy, cond. Columbia ML 4816.

Kleine Kammermusik, Op. 24, No. 2 (1922). New York Woodwind Quintet. Concert-Disc 1205; 205 (S).

Das Marienleben, Op. 27 (1923, revised 1948). Lyrichord 97.

Mathis der Maler (excerpts, 1938). Dietrich Fischer-Dieskau, Pilar Lorengar, Helmut Grobe, soloists. Berlin Radio Symphony, Leopold Ludwig, cond. DGG. 18769; 138769 (S).

Nobilissima Visione, 1938. (With: Clarinet Concerto, 1947.) Philharmonia Orchestra, Hindemith, cond. Angel 35490.

Quartet No. 3, Op. 22 (1922). Fine Arts Quartet. Concert-Disc 1225; 225 (S).

Requiem, "For Those We Love" (1946). Elizabeth Hoengen, Hans Braun, vocal soloists. Vienna Symphony, Hindemith, cond. Everest 6100; 3100 (S).

Symphonia Serena, 1947. (With: Horn Concerto, 1950. Dennis Brain, horn). Philharmonia Orchestra, Hindemith, cond. Angel (S) 35941.

Theme and Four Variations, "The Four Temperaments" (1940) — Leon Fleischer, piano. (With: Five Pieces for String Orchestra, 1927 and *Trauermusik*, 1936). Netherlands Chamber Orchestra, Szymon Goldberg, cond. Epic LC 3356.

THEATRE

Harold Clurman

Words have become so debased or featureless in theatre discussion that when a critic calls a play "interesting," one assumes that he must have been bored by it. I must therefore assert that when I say I found the double bill of one-act plays by Harold Pinter and Samuel Beckett at the Cherry Lane interesting, I want my readers to understand that I mean that these plays merit their attentive consideration.

The Pinter play, *The Lover*, a reformed television script, is the more amusing; the Beckett piece called *Play*, the more striking. *The Lover* lasts about fifty minutes, *Play* only about fifteen minutes.

There is a certain slickness or "commercial" dispatch about *The Lover*, but it is not, in the author's mind at least, unserious. It is necessary to say this at the outset because some aspects of the play are almost as banal as a revue blackout.

A middle-class Englishman, Richard, married to a young woman, Sarah, lives a double life with her. In the morning and in the evening they are a tidy, traditionally correct, placid couple. On odd afternoons, Richard returns to the house as tough, disreputable, somewhat depraved character — Sarah's "lover." Sarah, in turn, greets her "lover" as a wanton whose technique of enticement must have been picked up from a textbook issued by a low-grade movie magazine.

In the evening, when a sedate Richard returns, he frequently asks about Sarah's lover, at the same time he confesses his own affair with a dissolute woman who is little more to him than an erotic convenience. This routine continues for some time, until one day Richard announces that Sarah's liaison is insufferable and that he no longer will tolerate her afternoon escapades. Richard's jealous tantrum frightens her until she realizes that to appease him, she must enact the trollop with him, the gentlemanly Richard!

The conduct of the play's action, which combines a touch of Strindberg with a larger dose of burlesque, is insidiously clever and passably unwholesome. What intrigued me more than the play's game is the degree to which audiences, particularly in England, take the play as something more than entertainment. Is it received as a metaphor for a psychological truth (we want our wives to be our whores), or as the symbol of a wish, or simply as a "teaser"? Pinter's ambiguity in this respect is cunning. Is the play the reflection of a peculiarly English mental and moral disarray, to be studied by sociologists and psychoanalysts, or just a joke? Pinter's attitude is noncommittal. He retires from the scene like the Cheshire cat — without the smile. Perhaps he, himself, is puzzled. We laugh a bit and remain ever so slightly disturbed.

Marian Reardon as Sarah and Michael Lipton as Richard do well.

Beckett's *Play* is less "fun," but a further instance of his genius. I cannot say that I "like" it; it is the kind of work which exists in such a way that the question of my, or your, liking it becomes irrelevant. It is a thing in itself.

The stage directions as Beckett himself sets them down furnish a clue to his style:

> *Extreme front, touching one another, three large white urns, one yard high, from which three heads protrude through holes close fitting to their necks. . . . [They] face undeviatingly front throughout act. Age: indifferent. Appearance: indifferent. . . . Faces impassive throughout. Voices toneless except where expression indicated.*

Whom do these "heads," speaking from their (funerary?) urns, belong to? W. 1, W. 2, M. (Woman one, Woman two, Man.) The play is the essentialized comic-tragedy (or "metadrama") of adultery: the eternal triangle. The dialogue is uninflected by any readily defined emotion or climax. At times each of the figures speaks some incomplete phrase typical of his or her thought. Often they speak simultaneously — not always intelligibly — and in a semi-murmur affecting us like the rustling of leaves or the whisperings of the dead!

The triangular situation begins hilariously as a vulgar commonplace. Slowly a sense of boredom, then of guilt, then of regret, then of hopeless indifference and finally of utter forgetfulness steals over the three livid figures immersed in their urns as if in a gray sod, nearly mute and altogether meaningless. It is almost too awful to be sad; too disheartening to be tragic.

You have heard of the Constitution being written on a postage stamp or of the Lord's Prayer being engraved on a pin. Beckett's *Play* is like a statement of the polygamous sex-agony inscribed in sure shorthand strokes.

This leaves me dissatisfied, dumbfounded. But who says Beckett hoped to satisfy me? There is acute pathos here, but so compressed that one is not permitted a sigh or the shedding of a tear.

Scientists have said that there will

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come a time when a small pill will replace a full meal. The pill takes less time to consume and will furnish us with all the needed vitamins. Perhaps so. It will indicate progress and certainly be "modern." Unregenerate hedonist that I am, I shall always prefer a banquet even though it may make me sick.

Still Beckett is a master. As director, Alan Schneider is his obedient servant.

ART

Max Kozloff

Works of art traditionally are thought of as part of an environment, which they complement by being judiciously selected. When they *become* the total environment, however, they not only annihilate the idea of selection, they reverse the relationship of the spectator to art itself—by threatening his sense of identity, his capacity for movement and, above all, his control over his surroundings. With these faculties menaced, the aesthetic encounter sharpens, if only because the sheer pervasiveness of material and sensation, usefully repressed in so many aspects of daily life, returns in the tolerant atmosphere of the art gallery. But, in fact, one permits this encroachment *willingly;* and one surrenders to its thrill or terror, as in a horror movie, *safely,* because vicariously. The task of the "environmentalist," therefore, is to pick his way as effectively as possible between the licenses and checks of his trade—and neither to fall short of the one, nor to transgress the other. Does sculpture move? See "On the Move" (Howard Wise Gallery). Do paintings and objects make noises? Go to Cordier and Eckstrom ("For Eyes and Ears"). Can the outdoors come indoors? Visit "Four Environments" at Sidney Janis.

The range is wide in all these shows, and the accomplishment, motley. But aside from their obvious synesthesia, they have many things in common. Shared, for instance, is a skepticism of the beholder's powers of attentiveness and comprehension. These works solicit and caper in ways that leave no interpretation to chance. Partly this stems from the incitement of brush gestures in Abstract Expressionism which were attempts in their own right to break down certain barriers between the viewer and work. Dine and Rosenquist (Janis), as well as Rivers (Cordier), ironically quote the very dribbles and paint slaps of action painting itself. But there is a whole folk history of the movement, for much of what one sees is an outgrowth of the diorama, *tableau vivant,* do-it-yourself exhibits in science museums, Rube Goldberg, squawking toys, crèches, and the popular fascination of the eighteenth and nineteenth centuries for mechanical contraptions of every kind. Within their own more pertinent tradition, though, these constructions all owe a debt to collage, in which elements of reality, once pasted into the work of art, and later identifying with that work (as in assemblage), have now aggrandized in scale to include the spectator. In addition, these "displays," frameless and styleless, mechanically impersonate or counterfeit various human attributes, and hence appeal to rather primitive instincts, which one is either inclined to indulge too readily, or remove beyond the pale of the credible.

The paradox of the current works, however, is that they can amuse or aggress, or even operate (under power or manually), only by demonstrating their own lack of self-sufficiency as integral works of art. They intimidate the spectator's will by seeming to have one of their own, but their means of locomotion are all too faltering and obvious. The illusion of self-induced motion is readily undeceiving. Finally, there is an implicit weakness in a situation in which objects are habitually pulled out of context: the weakness of any surprise when repeated.

This is rather pitifully made evident by the exhibition of kinetic sculpture at the Howard Wise. If movement must occur in the dimension of time as well as space (and these pieces are all either activated or potentially mobile), time is used dumbly by the reiteration of the same, or equally meaningless, chance pattern. One demonstration is enough to get the point; two are already a bore. Here, the tendency to extend the physical properties of the work is simply to point out its expressive restrictedness. The unity of stimulus and response to be found in Tinguely, Gesner and Agam apes the machine without either transforming or commenting upon its essential un-freedom.

Kinetic sculpture has a rather respectable tradition, branching out from Constructivism and the Bau-

A piece of the action from Newsweek:

"A pinball destiny"

"It was as if Damon Runyon had written the last act of a tragedy by Sophocles. The most unlikely nemesis of all time was 52-year-old Jack Ruby, born Jack Leon Rubenstein, a 'street-smart' operator who togged out his fantasies in the Al Capone panoply of white-on-white shirts, triple-ringed hands, and snap-brim fedoras. Ruby, born to nothing in the ghetto of Chicago's West Side, ricocheted through a pinball destiny until he fell into place, master of the grubby revels for the bravos and backslappers of Dallas night life."

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haus on the one hand, and Duchamp on the other. It is all the more remarkable, therefore, how little advanced in technology, space penetration, and formal invention the current pieces are. For kinetic complexity and functional efficiency, let alone sheer intelligence, none of them would compare with the spectacle of a mechanical bowling-pin setter doing its job. One might object here that the motivation of a Julio Le Parc, or a Len Lye is primarily visual, as evidenced by shimmering glass wafers, or undulating metal rods or by colored lights. Still, these are of importance as means, not as ends, and as effects rather than forms. Certainly it would be unjust to juxtapose such poor relations against a really animated medium like the cinema. By the same token, to unfeather them of their transience is only to reveal all the more what ugly ducklings they are. The sort of minds attracted to this unpromising field is indicated by the offerings of the various Paris-based "recherché" groups, whose formal vocabulary is as dated as Kandinsky's, and whose penchant for scientific trappings is a naively recurring European *faiblesse*.

The onus of "experimentalism" weighs heavily indeed upon this exhibition, suggesting as it does an operation undertaken to confirm some unknown principle outside the imagination. Just as inadequate is the presence of actual motion itself—so much less ramified and evocative than in works which merely depict or imply it. From all this churning kineticism, there rises a wisp of tautology. Only Calder's mobile, suspended above all activity, is lucid, lyrical and quite static.

The grouping at the Cordier and Eckstrom Gallery appears less scientific, but perhaps just as woolly. Certainly it makes more noise. Here one sees and hears collaborations between Paul Brach (a huge blue wooden hollow) and the composer, Morton Feldman, or the Greek sculptor, Takis (an electric tube) and the music of Earl Brown. They resemble abstract juke boxes. Avoiding this unrelatedness of thing and sound, George Ortman presents a replica of the vast Matisse "Piano Lesson," at the Museum of Modern Art with, however, various alterations such as a heart form found in the Pleyel piano rack and an inset disk for the boy's head. Behind that part of the surface which represents a metronome, a battery-operated tape thumps ominously—articulating the latent hysteria which Ortman says has always impressed him about this painting.

The overall theme here becomes art as performance. But with one exception, none of the objects possesses the power to shape and focus an interval that is enduring in the theatrical terms to which they aspire. Only the rat-tatting, umbrella-like "Music Set" of the musician, Joe Jones, escapes the monotonous clacking of its confreres, and this because its snare drums, violins and triangles comprise a new-fangled instrument which can produce all kinds of original percussive events through electronic control.

At Janis, finally, incursion into environmentalist territory is the most ambitious, as well as the mutest and most three-dimensional. One breathes easier, not only because there are no buttons to press, or plugs to push, but because the proprieties of the mode are forcefully observed. To be sure, the offerings of James Rosenquist (not terribly legible) and Jim Dine (hybrid and disadvantageously installed) have to be disqualified from discussion. But this still leaves George Segal's "Cinema," and Claes Oldenburg's "A Bedroom," each a *succès de scandale*. This status they have won by dealing riskily with the aesthetics of effigy: Segal by plaster casting the figure of a man who is then silhouetted against a blazing fluorescent movie marquee; and Oldenburg by conjuring a cave of horrors in the form of a zebra-skinned bedroom.

Both scenes are surrogates, imaginary displacements of the real thing. As such, they have an iconic potency hard to match—but their formal range is thereby dreadfully constrained. They approach maximum impact—that is, illusionism—only at the cost of all independence other than the selection of the image itself.

In this respect, the overpraised Segal has never hesitated to shed as much independence as possible. Only the real objects, which he incorporates in his compositions, reduce the verisimilitude of plaster effigies which would otherwise be as intrusive and unpleasant as a tableau from Madame Tussaud. (Not that Segal creates an effect greatly different from a wax museum, for he unquestionably seeks a similar environment.) The early Rodin was frequently accused of using life casts, an allegation he indignantly contested; Segal, an ultraconservative, revels in it.

No less theatrical and spooky, Oldenburg nevertheless resolves the problem. In his vignette, a monstrous, trapezoidal bed is swaddled tight with a black-patterned leatherette spread, and collared with a glistening, viscoid plastic pillow and sheet. Two flanking vinyl cabinets, of a swirled turquoise, are surmounted by lamps with dark marbleized gray shades. On a dresser is fitted a huge, dull tin sun of a mirror, while a leopard-skin coat and overgrown purse drape a zebra dais. Breaking up the wall are prim mechanized spatter prints, illuminated, as is the whole ensemble, by the cold, mortuary gallery light. These ersatzes and synthetics, congealed movements and claptrap modernities, electrify the cheapness and madness of American hotel and suburban décor. But their means of doing so is metaphor, not illusion. The place looks almost like a set for Kafka's *Amerika*, staged by Genet. Oldenburg, in fact, transposes his terms at every step: abnormal perspective, scale and surface, value and color perversities, refer not merely to the experience of the room, but to Oldenburg's previous enamel-dripped plaster edibles, and behind them, to Abstract Expressionism itself, now, however, effortlessly machined and industrialized. These "commercial" Pollocks even hang on walls which only recently sheltered original Pollocks, an occurrence which drastically locks into focus the latest cycle of American art. Oldenburg has erected an image which physically violates our world, but emphasizes that violation as metaphor. It is the environmentalist's dream.

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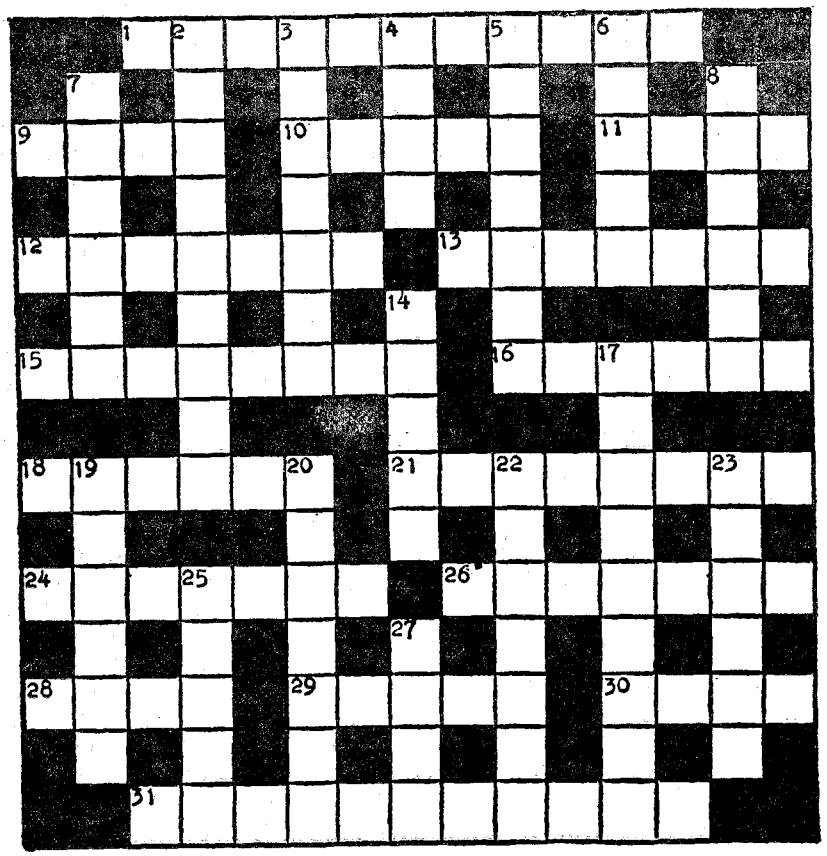
Crossword Puzzle No. 1043

By FRANK W. LEWIS



ACROSS

1 Cowardly work of a climber? (11)
9 and 16 Studies illegal appropriation of the plot. (10)
10 and 11 Hawkshaw outfit, when hot on the trail? You might have a field day with it. (5, 4)
12 Jumps for a last line thrown around an animal. (7)
13 Foolish, as in inequality without class. (7)
15 By comparison, 30 in 24. (8)
16 See 9 across
18 Feign. (6)
21 No useful cell construction in the rock now. (8)
24 When leaves traditionally turn at first. (7)
26 One type of morals or another has something that can't quite be placed. (4, 3)
28 Not quite solid numbers. (4)
29 An animal given to impudent talk makes quite a bloomer. (5)
30 This type of 10 is probably muddy.
31 Investing membrane, conditionally further down in the plant. 11)

DOWN:

2 Hint at what seems to be a pointed comment to those who dined in the garden. (9)
3 The rest confines one, perhaps. (7)
4 Certainly not counterfeit money.
5 All night watch over the way to eat? Rouses one, too! (5, 2)
6 Essential place for the broken tail to be cut off! (5)
7 Style may be down or up, with a couple of small business firms. (6)
8 The last part of the topic has a nice beginning, so it might be fun.
14 Business as such implies no stoppage. (5)
17 Would this make us restore something that was turned up? (9)
19 The one of mild decay was general in the Deacon's Masterpiece. (6)
20 Agitation caused by the broken spirit in work. (7)
22 The type of music that captivated Odysseus. (7)
23 Proving water cuts through the Panama Zone. (7)
25 Nautical show-place for the city.
27 Have you broken bread with such a saint? (4)

SOLUTION TO PUZZLE NO. 1042

ACROSS: 1 Hypotenuse; 6 Esau; 10 Worsted; 11 Red deer; 12 Iago; 13 Fledgeling; 15 Avenues; 16 Scheldt; 17 Garment; 20 Thereto; 22 Innocently; 23 Apes; 25 Armenia; 26 Andante; 27 Soda; 28 Advertises. DOWN: 1 Hawaiian guitars; 2 Pirogue; 3 Tutu; 4 Nodules; 5 Strides; 7 Special; 8 Unrighteousness; 9 Idle wheel; 14 Rubescent; 18 Renamed; 19 Tankard; 20 Tillage; 21 Expends; 24 Edit.

Readers are invited to send for a free copy of Mr. Lewis' "ground rules." Address requests to Puzzle Dept., *The Nation*, 333 Sixth Ave., New York, N. Y. 10014.

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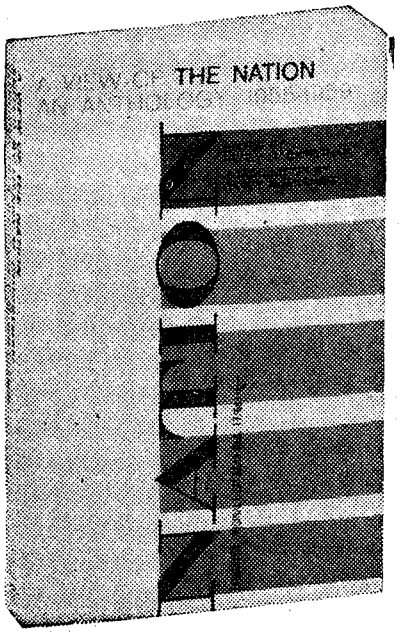

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